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# Legislative Journal.

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No. 70.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, July 22, 1959.

The House met at 9:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

### PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou great Eternal God and Father of us all, Thou whose mercy is lasting to everlasting and whose truth endureth to all generations; in utmost confidence and profound faith we look to Thee in this hour confident that Thy grace is sufficient for each one of us; and we pray that Thy presence may ever be our guide to enable us to reach higher ground in Thy name. O Gracious Father, we pray for these servants of Thine as well as the servants of this great state; as Thou dost show them Thy mercy, grant them also Thy power and Thy grace to walk humbly in Thy way and the fulfillment of Thy will: through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, July 21, 1959 will be postponed until printed.

The Chair hears none.

### BILLS INTRODUCED AND REFERRED

By Messrs. DAVIS, RENWICK, VARNER  
and GRAMLICH. HOUSE BILL No. 2238.

An Act amending the "Law Fixing Annual Charge on Forest Lands," approved May 17, 1929 (P. L. 1798), increasing the amount of the fixed charge payable by the Commonwealth.

Referred to the Committee on State Government.

By Messrs. COMER, GALLAGHER, LIPPINCOTT  
and FETTEROLF. HOUSE BILL No. 2239.

An Act amending the act of May 7, 1937 (P. L. 589), entitled as amended, "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the first class as State Highways; \* \* \* and appropriating money in the Motor License Fund for the purpose of this act," changing certain routes and adding certain new routes.

Referred to the Committee on Highways.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 56.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 689.

An Act reenacting, amending and revising the Act of April 6, 1953 (P. L. 3), entitled "Uniform Commercial Code."

Referred to the Committee on Judiciary.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 122.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto," extending the penalty section to cover all persons violating the act and fixing a minimum fine.

HOUSE BILL No. 1889.

An Act amending the "Public School Employes' Retirement Code of 1959," providing for transfer among classes of membership and between retirement systems and for crediting of service and computation of benefits in cases of contributors making such transfers changing eligibility and service requirements for certain members eliminating State annuity reserve account number two and providing procedures for collection of employer contributions.

HOUSE BILL No. 1890.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), providing for transfer among classes of membership and between retirement systems and for crediting of service and computation of benefits in cases of contributions making such transfers.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.



## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILLS NOS. 358 and 722.

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, July 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 358, Printer's No. 696, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) entitled 'The First Class Township Code' providing for the acquisition maintenance and enlargement by the township of certain sewage collection or disposal systems."

DAVID L. LAWRENCE.

July 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 722, Printer's No. 697, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' providing for the licensing of transient retail merchants."

DAVID L. LAWRENCE.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. AUKER for today.

Mr. Tompkins for Mr. UJOBAL for today.

Mr. Tompkins for Mr. ODORISIO for today.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL NO. 1115 FROM GOVERNOR.

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, July 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1115, Printer's No. 367, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## COMMUNICATION AND BILL LAID ON TABLE

Mrs. MUNLEY. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## REPORTS FROM COMMITTEE

Mr. OGILVIE from the Committee on Military Affairs, reported as amended, House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind, paraplegic and double or quadruple amputee veterans from the payment of certain real property taxes.

Mr. WELSH from the Committee on Labor Relations, reported as amended, House Bill No. 1651, entitled:

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), changing the definition of employer, deleting certain provisions, increasing the discretionary power of the board and extending the time limits for certain procedures.

Mrs. MONROE from the Committee on Military Affairs, reported as committed, House Bill No. 286, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General; and making an appropriation.

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy, in East Allen Township, Northampton County.

Mr. PARLANTE from the Committee on Labor Relations, reported as committed, House Bill No. 1900, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744) prohibiting discrimination in employment because of membership in the National Guard or reserve component of the armed services of the United States in certain cases.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain persons.

Mr. STIMMEL from the Committee on Insurance, reported as committed, Senate Bill No. 372, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing for deferment of payment of a portion of the salary of officers or employees for more than twelve months.

Mr. SCARCELLI from the Committee on Military Affairs, reported as committed, Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 286, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General; and making an appropriation.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy, in East Allen Township, Northampton County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1900, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744) prohibiting discrimination in employment because of membership in the National Guard or a reserve component of the armed services of the United States in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain persons.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing for deferment of payment of a portion of the salary of officers or employes for more than twelve months.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 379 entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

The SPEAKER. The gentleman from Armstrong, Mr. Helm, has an important matter to bring to the attention of the House.

Mr. HELM. Mr. Speaker, I ask unanimous consent of the House to make a brief statement.

The SPEAKER. It is not necessary. The Chair always recognizes the gentleman without unanimous consent.

Mr. HELM. I thank the Speaker.

You see, the Speaker knows what I am going to talk about, and I have just been told by one of my colleagues right alongside of me that he is trying to kill me with kindness.

Mr. Speaker, I have from week to week for two or three months now been receiving what is known as, and has been called publicly "The Yellow Sheet."

This morning I got the latest edition of "Dispelling the Fog" from my post office box. For the Members who have not read the latest epistle, I would like to read the first three paragraphs:

All right Mr. Helm! All right Mr. Johnson! You have endeavored to reconstruct the 1953 scene. A parallel case, you say!

You fly in the face of the facts. You compare the existing legislative situation with the maneuverings that were a part of the 1953 scene.

Doubtless, as legislative leaders, you have your reasons, being captives of the building neophytes who control your decisions.

Now, Mr. Speaker, I am not a very brilliant individual, so I had to go the dictionary to find out what "neophytes" were. I have Webster's Dictionary, the American College Dictionary, here before me and it says a neophyte is a converted heathen, a heretic, a novice, a beginner.

I have a question I would like to ask, Mr. Speaker, and the Speaker may answer this at his leisure; I do not care whether he does it from the floor or whether he does it in a future edition of "Dispelling the Fog".

I would like to know who the bubbly neophytes are who control my decisions? I happen to have been a member of the Tax Conference Committee and I met on that Committee in good faith. I state publicly no one, no one, controlled my decision as to what type of a tax program I could be for or be against. I very much resent the implication that anyone told me what I had to do. And I am sure that same situation existed not only for Mr. Johnson, my colleague, but the other two members of the Tax Conference Committee.

Then the Speaker goes on and he says there is no parallel to the 1953-1959 tax muddle. With that I entirely agree. There is no parallel. The Speaker pointed out to you the other day, yesterday or the day before, in his remarks that they were prepared to offer 18 votes for a tax program in 1953. Where there is no parallel in this: They were never asked to place those 18 votes on the line, and in 1959 we have been. We were asked to give 15 votes for a tax program. In 1953 you might have had them, but they were never requested and never needed. We passed our tax program with Republican votes in that Session. You can take credit for having 18 votes ready to vote for it, all you want to, but there was not one vote from our side for the program.

When you start talking about people controlling your thinking, it is very peculiar that I picked up the morning Inquirer and read, in a column by the very same gentleman the Speaker quoted the other day, Mr. John Cummings, the headline "The Mayor Tosses a Monkey Wrench". Clear from Los Angeles he tossed the monkey wrench into the operation of this House of Representatives. I say to you, if anyone controlled the thinking of this Legislature, it happened to be Mayor Dilworth of the



city of Philadelphia. At least I am convinced of that when I realize what happened last Wednesday afternoon.

The SPEAKER. While the Floor Leaders are marking the calendar, does any other Member of the House desire to address the House, by unanimous consent?

Mr. SCHWARTZ. Mr. Speaker, I am happy at this point to notice that the gentleman on the other side of the aisle has now expressed two separate and distinct reasons for what happened here last Tuesday.

Mr. McCORMACK. I ask unanimous consent of the House - - -

The SPEAKER. It is not necessary. This is an open period.

Mr. McCORMACK. Mr. Speaker, then I withdraw that request.

The SPEAKER. The gentleman is at liberty to go after anybody's scalp that he may have in mind, including the Speaker's.

Mr. McCORMACK. Mr. Speaker, I do not know whether I am going to create somewhat of a fog, or dispell it, but in the light of what the gentleman from Armstrong, Mr. Helm, just said about the Mayor of Philadelphia, I wish to state my position, as a duly elected Representative from Philadelphia, on the tax program.

It seems to me that there have been a lot of reckless statements made in the House, and unfortunately they were made by both sides. It was my position, from the beginning, that until the city of Philadelphia got a fair share of the increased taxes as a result of the four percent program, I was going to be against the tax. There has been widespread rumor by authoratative sources that the other chamber intends to chop up the appropriations to Philadelphia. As a result of the failure to pass the personal property tax, it stands to reason that some of the appropriations are going to have to be cut unless we pass some other tax measures to supplement that \$55 million.

It is true we had caucuses and we discussed this at length, but I want to say that at no time, to my knowledge, did Mayor Dilworth or anybody else suggest what Philadelphia should do. I want to say too, even if there had been suggestions, they would have fallen on deaf ears until I was satisfied that Philadelphia was getting a fair share of the tax revenue along with the other 66 counties. I think there is nothing immoral or improper about that position. I think any Member of this House, if he felt that his particular county was not getting a fair share of the money taken in as a result of this tax program, would vote the same way.

There have been suggestions that we are not free agents here. I want to say this. I have been in this General Assembly since 1953 and no one has ever directed my vote or told me how to vote or forced me to vote for or against a tax program. I think that at a particular time like this, when we are facing so many crises with respect to the shortage of funds throughout the Commonwealth, we ought to stand on our own two feet. So long as we are satisfied that this money will be spread on an equitable and morally sound basis, we should not do anything. But once we are satisfied, we should vote for a program.

We know too that the only reason there is so much opposition on the Minority side is because they want to cast the blame on the Democrats. That is probably politically expedient and it is pretty hard to divorce politics

from a tax program but, nevertheless, the day must come, and it must come quickly, when we are going to have to rise above political expediency, pass the necessary tax program and adjourn.

But, I want to say clearly, despite the newspaper stories on the part that the Mayor of Philadelphia played, I know nothing about it, and it was not brought to my attention about the Mayor's position. I want to reiterate, regardless of his position, until I am satisfied that Philadelphia gets a fair share of the tax yield, I am going to be against the tax. You might call that obstructionism or by any other term. I think it is a fair, sound reasoning for voting against the bill at the present time. If we get what we are entitled to on the basis of the money that the county of Philadelphia pays into the treasury of the Commonwealth, there is no reason why I should not vote for any program, but until that time comes I must say that I am going to be against the tax program.

Mr. HELM. Mr. Speaker, may I ask the Minority Leader to yield perhaps until I answer the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER. Did the gentleman desire to interrogate?

Mr. HELM. I do not desire to interrogate, Mr. Speaker. I only want to answer a couple things that the gentleman from Philadelphia said.

The SPEAKER. The Minority Leader does not also desire to be recognized, does he?

Mr. HELM. I can not answer.

The SPEAKER. We will recognize the gentleman from Armstrong. The Chair would like to, as soon as possible, get back to the calendar, having opened the gate wide.

Mr. HELM. Mr. Speaker, I believe this is a serious enough accusation that we should spend the necessary time on it, if it takes two hours.

The SPEAKER. The gentleman will proceed.

Mr. HELM. Mr. Speaker, I would like to answer something that the gentleman from Philadelphia, Mr. McCormick said.

He said that no one, so far as he knew, had anything to do with controlling what the Democratic delegation did. I would like to read from Mr. Cummings' article, for the information of the gentleman, and I have always been one who believes that the newspaper reporters are able to delve into and get the truth in most situations.

Mayor Dilworth performed admirably in the main oratorical event which opened the International Track and Field Meet at Franklin Field last Saturday. Good as he was at welcoming the Russian competitors to Philadelphia, his part in the big show was not nearly as impressive as his demonstration of personal physical strength a few days earlier.

He threw a monkey wrench all the way from Los Angeles to Philadelphia. It landed on the greensward—there's a kind of a joke there—with such force that it ricocheted to Harrisburg to seriously cripple the tax making machinery of the Commonwealth.

Democrats, from the Governor's office down to the last faithful member of the party in the last row of the House, credit the Philadelphia Mayor with tossing the monkey wrench farther and with more telling effect than it was ever flung before. They say he would have been a knockout in the shotput, the javelin or the discus throw on Franklin Field.

Mr. Dilworth was in Los Angeles attending a national Conference of Mayors last Wednesday when his Harrisburg operative reached him by



telephone. He informed the Mayor that all the signs of the times pointed to a bipartisan agreement on a bill increasing by one half of one percent the Sales Tax Law which now calls for a levy of 3½ percent.

The Republicans, a minority in the House, where all revenue raisers must originate, were to provide the Democratic majority with 14 votes which would have been sufficient for final passage. Rep. James Dougherty, of Philadelphia's First District, having ascertained in caucus that six Democrats from his town were refusing to support the bill, got in touch with Rep. Bill Green, Chairman of the City Committee.

On instructions from Green, transmitted through Dougherty, the revolt of the six Philadelphians ended. Later, Speaker Andrews laid the blame for the collapse of the agreement on the doorstep of Dougherty, an "order man."

The bill seemed headed for passage by a one-vote margin when the news reached Dilworth in California. He telephoned Green. He thought it a mistake to support a "Republican bill" without some pledge or promise on Philadelphia matters in which the Mayor is vitally interested.

Without any great delay Green withdrew Philadelphia support. The Republicans, incensed, withdrew their support, charging they were being made victims of a Philadelphia blackjack.

Gov. Lawrence was disturbed, since he had fought hard to bring about the bipartisan agreement. Passage of the bill would have been a long step in the direction of solving his tax problems.

He called a meeting of Democratic minds in his office Monday, Mayor Dilworth's record-breaking monkey wrench toss was discussed. It was finally decided to mark time in the hope that in a day or so bipartisan discussion of the tax situation would be resumed.

Now, unless someone can prove to me that the facts stated in Mr. Cummings' article are not true, I will accept them. I say to the gentleman from Philadelphia, Mr. Dougherty, as I sat on that conference committee, along with the other seven members, I certainly did not place on the trading block anything for Armstrong County before I agreed to go along with the program. Steven McCann, the Majority Leader, did not place anything on the block that he demanded for Greene County before he went along with that program, nor did any other member of the conferece Committee.

If we are going to place the passage of the tax program in this House on the basis of what we are going to get for our individual counties, I say to you, Mr. Speaker, we are going to be here until December, 1960, because we will never get a program through this House. The Republican Members, and I believe the Democratic Members, of that committee met in good faith, worked diligently in trying to solve a problem without putting it on the basis of what we can get for each other, and I say to the gentleman from Philadelphia, if his attitude is going to be that he is not going to vote for a tax program until he gets \$12 million more for the schools of Philadelphia or \$4.5 million for the General Hospital in Philadelphia, he has got an awful long wait.

Mr. GOLDSTEIN. Will the gentleman from Philadelphia, Mr. McCormack, consent to be interrogated?

The SPEAKER. The gentleman undoubtedly welcomes the opportunity.

Mr. GOLDSTEIN. What is the fair share of the revenue of the Commonwealth of Pennsylvania that the Philadelphia group demands in order to vote for taxes?

Mr. McCORMACK. Well, Mr. Speaker, I cannot speak

for the Philadelphia delegation. I can only speak for myself.

Mr. GOLDSTEIN. Then I ask you what is the fair share that you demand?

Mr. McCORMACK. I will seriously consider voting for a tax program if Philadelphia is included in the County Health Plan and if Philadelphia gets \$4.5 million for the Philadelphia General Hospital. I feel if we at least get those two measures I will satisfy my conscience that I should vote for the bill.

Mr. GOLDSTEIN. In other words these are the minimum requirements you have in order to vote for a tax program?

Mr. McCORMACK. Those are the minimum requirements, yes, Mr. Speaker.

I understand that I cannot insure what the Senate will do with the County Health Plan although I have read in the papers what they intended to do, and I cannot insure that we will get any money for Philadelphia General Hospital, but I feel that when it gets down to chopping up this buget, and there are conference committees appointed, that we ought to have some representation on these to see that the fate does not befall us this Session that has befallen us in past Sessions.

Mr. GOLDSTEIN. Thank you, Mr. McCormack. Mr. Speaker, I ask unanimous consent to make a few remarks.

The SPEAKER. The gentleman will proceed.

Mr. GOLDSTEIN. There isn't a county in the Commonwealth that doesn't have a financial problem. In the city of Pittsburgh we have a particularly serious one with regard to our schools. We are interested if we can get Philadelphia parity. We had it rejected on certain occasions.

I certainly do not think it good government that every county should logroll in order to get certain extra advantages. We have an Appropriations Committee, and in addition Mr. McCormack is a Member of the majority party. If the majority party, acting under the Governor, is not going to give each and every sector of this Commonwealth the aid to which it is entitled, then we are in a sad state.

I believe the concept of government which Mr. McCormack feels is necessary is unsound; they will never get a tax program. It opens the door for anyone to say he will not vote for a program unless so many tax dollars are returned to his community. Nobody is satisfied with the revenue he receives. We have an overall program. We have a situation where the money must be divided to the best interests of the people in the state as a whole.

I am quite certain the senior Senator from Pennsylvania, Mr. Clark, would not agree with his concept, because he often asks for things for a community which does not pay into the United States Government as much as it receives. We think if we have a policy such as announced by Mr. McCormack, it is merely an excuse on the part of people to avoid the responsibility to decide the issue. If we as Legislators do not like a program we should vote against it whether we are Republicans or Democrats, but should not say we should have a quid pro quo in consideration for our vote, whether it be for the benefit of the community in which we live or otherwise. We think this is absolutely unsound and we feel that it will lead to very, very militating results to the detriment of the people of this Commonwealth.



## STATEMENT BY SPEAKER

The SPEAKER. The Chair, after a brief statement, will recognize the Minority Leader.

For thirty years it has been the Chair's idea that at stated intervals this House should be in open session, or in committee of the whole, during which any Member who has something on his mind and his heart would be privileged to address the entire House. I have always hoped we would reach the point where, as I said, at stated intervals we would have a session devoted to miscellaneous discussions so that any Member, without obtaining unanimous consent, or without interrupting the orderly parliamentary procedure, could say and discuss things as Members have been discussing them this morning. Maybe if I live long enough there will be enough Members who agree with me so that we actually will have a session regularly at stated intervals where any Member of the House will be privileged to get up and say what he has on his mind. Of course I think you would have to place some limitations on the time consumed by any individual, but I still think it is good idea.

Mr. A. W. JOHNSON. Mr. Speaker, I would like the privilege of interrogating the gentleman from Philadelphia, Mr. Dougherty, please.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dougherty, permit himself to be interrogated.

Mr. DOUGHERTY. I shall, Mr. Speaker, Not being an attorney, I wish to state that if the Minority Leader wishes to throw legal questions, the man from Philadelphia will do his utmost to answer them.

Mr. A. W. JOHNSON. Mr. Speaker, Mr. Dougherty has qualified himself this morning as a tax expert and within that realm I desire to interrogate him.

The SPEAKER. Does the gentleman consent to be interrogated?

Mr. DOUGHERTY. As a tax expert, no. As the "little man," yes.

Mr. A. W. JOHNSON. Well, as the leader of the Philadelphia Delegation?

Mr. SHPEAKER. Well then, the Minority Leader can proceed.

Mr. A. W. JOHNSON. Well, if the questions are too difficult, I will withdraw them and let him be the judge.

Mr. DOUGHERTY. I will try to answer anything. The Minority Leader is an old pal of mine.

Mr. SPEAKER. Then the gentleman from Philadelphia does desire to answer the questions?

Mr. DOUGHERTY. Anything and everything pertaining to the tax program.

Mr. A. W. JOHNSON. This is really serious. You have, Mr. Dougherty, put in a series of tax bills this morning, one of which increases the corporate income tax from six to ten per cent, increasing the permanent tax on public utilities from eight to sixteen mills, extending the corporate income tax to mutual life insurance companies, mutual savings banks and those are the net effects of it. Now, I just want to ask a few questions about it.

Do you know how much that will increase the revenue of the Commonwealth by raising the CNI on corporations from six to ten percent?

Mr. DOUGHERTY. In detail, no, but in the overall picture I would judge it around \$235 million.

Mr. A. W. JOHNSON. So that the effect of your first bill would be to increase the taxes on business cor-

porations in the state some \$235 million? Is that correct?

Mr. DOUGHERTY. That is correct.

Mr. A. W. JOHNSON. Then let us get down to your tax on mutual life insurance companies and mutual savings banks. How much is your estimate on what that will bring in?

Mr. DOUGHERTY. Now maybe you have misunderstood me. I said the overall tax of the three bills would be \$235 million. Individually, I do not know. This is a tax program that tax experts arrived at, with the assistance of Congressman Bill Green of Philadelphia. Sitting in his home in Longport, Bill Green and I, on Sunday, produced this as our answer to a tax program.

Mr. A. W. JOHNSON. Let's pursue that. May I take it from what you just said that this tax program is the considered, cold-blooded tax program of Bill Green of Philadelphia, meets with the approval of your Philadelphia delegation and is the answer to the tax program for this session. Is that correct?

Mr. DOUGHERTY. I will not say that to most of it. I don't know what is in back of Bill Green's mind; there may be another tax program. I would not say, this is cold-blooded; I do not know where "cold-blooded" would fit into the picture there.

Mr. A. W. JOHNSON. I mean coolly calculated.

Mr. DOUGHERTY. Coolly calculated.

Mr. A. W. JOHNSON. In other words, coolly calculated?

Mr. DOUGHERTY. Yes, sir.

Mr. A. W. JOHNSON. Now you said you sat down with Bill Green on Sunday and you came up with this package?

Mr. DOUGHERTY. That is correct.

Mr. A. W. JOHNSON. Also, may I ask you further if you discussed this package with Governor Lawrence?

Mr. DOUGHERTY. I did.

Mr. A. W. JOHNSON. Does this package meet with the approval of Governor Lawrence?

Mr. DOUGHERTY. I don't think it does.

Mr. A. W. JOHNSON. Does Governor Lawrence know that the tax is being introduced?

Mr. DOUGHERTY. I don't believe he knew I was going to introduce it. I told him I was thinking about it.

Mr. A. W. JOHNSON. Have you discussed it with Mr. Wheeler, the Chairman of the Ways and Means Committee.

Mr. DOUGHERTY. I have. I asked him to get it out for me.

Mr. A. W. JOHNSON. And what did Mr. Wheeler say?

Mr. DOUGHERTY. Oh, he gives all tax measures consideration.

Mr. A. W. JOHNSON. I would say if he had done what he has done in the past, he will consider them in committee about thirty seconds.

Do you have a promise from Mr. Wheeler that the bills will be sent to the floor for early action?

Mr. DOUGHERTY. I do not.

Mr. A. W. JOHNSON. You don't have any?

Mr. DOUGHERTY. I do not.

Mr. A. W. JOHNSON. One further question: This budget of Governor Lawrence contains an appropriation of \$10 millions this session for the Industrial Development Authority. If this corporate income tax raise goes into effect, will we need the \$10 million to invite new business into Pennsylvania?



Mr. DOUGHERTY. I believe we will.

Mr. A. W. JOHNSON. You think we will still need the \$10 million to invite new business into Pennsylvania if they have to pay a higher corporate tax rate than any other State in the Union?

Mr. DOUGHERTY. I know it is a problem. We always hear about business coming into Pennsylvania or going out of Pennsylvania, but I never heard anyone get up yet talking about little fellows who have some bread but no butter to put on it.

Mr. A. W. JOHNSON. That is beside the point. By having business come into Pennsylvania means jobs, does it not?

Mr. DOUGHERTY. That is right.

Mr. A. W. JOHNSON. To get butter to put on the bread. Isn't that right?

Mr. DOUGHERTY. That is right.

Mr. A. W. JOHNSON. Do you know how much taxes business is paying in the nearly \$200 billion budget, how much the share of business is?

Mr. DOUGHERTY. I have no idea.

Mr. A. W. JOHNSON. I would say it is approximately half at the present time. Do you figure what all types of business pay through taxes on their income, the 40 some percent they pay in sales tax amounts to just about half the budget, and your bills would add about \$235 million more, is that correct?

Mr. DOUGHERTY. That's right.

Mr. A. W. JOHNSON. And does Bill Green figure that he has a pretty good chance of getting these bills through?

Mr. DOUGHERTY. Well, I wouldn't speak of what he figures. I figure I would like to.

Mr. A. W. JOHNSON. I believe that is the end of the interrogation and, not having anything more to say, will stand on his answers.

Mr. McCANN. Mr. Speaker, I would like, of course, to begin on the calendar, but I just want to make one corrective statement.

I think the Minority Leader will agree with me. Not participating in the debate or the argument, I believe the gentleman will agree that those who were capable of estimating the percentage of tax in the sales tax, used the figure that business, they thought, paid approximately twenty-five percent, very near that, of the \$615 million in the estimated yield of the existing law that the corporate net income tax they pay, but in the percentage of the budget of the tax yield now is by far, the sales tax is the greatest percentage yielder of the income in which many years back, not too many years back, corporate net income tax carried, or corporations carried, the major load of taxes of the operation of the Commonwealth, and now, if you compare the '57, the '55, the '53, the '51 yields of income on the taxes, you find the trend has shifted, and it is very clear when you compare the previous bienniums and see that here, in a large section of the dollar, the sales tax yield, of course, now produces the greatest portion of the income and, had the bill passed the other day, it certainly would have again changed that bite of percentage that would have been deciphered into a dollar, when we prepare such a percentage program for the information of the public and the Members.

Mr. Speaker, if we may, I would like to start with the first reading and move right through.

## REPORTS FROM COMMITTEE

Mr. CIANFRANI from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1293, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897) further defining "unemployed" as to members of the General Assembly.

Mr. GALLAGHER from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1873, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to furnish employees with instructions on their rights in the event of an accident.

Mr. SCARCELLI from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1883, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1293, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897) further defining "unemployed" as to members of the General Assembly.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1873, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to furnish employees with instructions on their rights in the event of an accident.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1883, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during time of combat.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16 1923 (P. L. 207) extending the term of the lien of certain municipal claims the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to six years.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax \* \* \* not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate which such claims or judgments were originally assessed uncertain certain terms and conditions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 37, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing temporary investment of township funds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 141, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 325, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 112, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) increasing liability for burial costs.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 268, entitled:

An Act defining and regulating the conduct and activities of officers and employees of the Commonwealth members officers and employees of the General Assembly and first partnerships Associations and corporations in which such persons are members or stockholders forbidding certain situations which may involve a conflict of interest \* \* \*.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 507, entitled:

An Act amending the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams program \* \* \*" providing for payments by the Commonwealth to municipalities of not less than two per centum of certain costs expended by such municipalities.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The Motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 556, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 557, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) further regulating the adoption of zoning codes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 910, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the compensation and payment of tuition charges for non-resident pupils.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1033, entitled:

An Act amending the act of May 27, 1937 (P. L. 926) entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof \* \* \*" by extending the coverage to stuffed toys.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1148, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) providing for compensation for disability caused by exposure to radiation hazards.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1464, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) prohibiting in certain cases domestic insurers from insuring the lives or persons of residents of or property or operations located in states in which such insurers are not authorized to do business.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1467, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act" approved June 11, 1947 (P. L. 551) including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act and providing for a uniform classification of accounts and records.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1638, entitled:



An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115) changing the method of personal registration and change of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability and spouses and dependents of persons in military service \* \* \* to register and to change enrollment of political party by mail.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1707, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) authorizing at the option of county committees the nomination of candidates for county, city, borough, town and township offices by conventions of delegates, primary meetings of delegates or caucuses.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses there in \* \* \*" changing the times for filing returns.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1885, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) deleting the limitation on indebtedness for the purpose of erecting a townhouse.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1942, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the renewal of provisional college certificates.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1975, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Board of Examiners of Public Real Estate Valuers as a departmental administrative board in the Department of Public Instruction.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1976, entitled:

An Act relating to the public practice of certified public real estate valuers providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public real estate valuers and for the suspension and revocation of such certificates subject to appeal and for their reinstatement \* \* \* defining unlawful acts and acts not unlawful and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1979, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 133) requiring county election boards to submit additional reports with respect to registered electors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1981, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the deposit of cash of a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1997, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) including certain diseases of fire-fighters within the meaning of the term occupational disease.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2002, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) changing the name of township supervisors to commissioners and further providing for their compensation.



And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partnerships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2140, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) requiring that food which has been frozen and permitted to thaw out be marked to give notice thereof to the purchaser.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 142, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" further defining persons eligible for public assistance.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 371, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" increasing the amount of salary compensation or emolument which may be paid without prior vote of the board of directors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 387, Printers' No. 419 and

Senate Bill No. 405, Printer's No. 670

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 683, entitled:

An Act amending the act of May 17, 1821 (P. L. 682) entitled "Insurance Company Law of 1921" further

regulating proceedings to merge and consolidate mutual insurance company.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 771, entitled:

An Act amending the act of May 11, 1889 (P. L. 188) entitled "A further supplement to an act entitled 'An act to establish a board of wardens for the Port of Philadelphia for the regulation of pilots and pilotage and for other purposes' approved March twenty-nine one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" further regulating the rates of pilotage.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### REPORTS FROM COMMITTEE

Mr. PARLANTE from the Committee on Motor Vehicles, reported as amended, House Bill No. 63, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act, and other acts relating to the ownership, possession and use of vehicles and tractors," prohibiting drag races and providing penalties.

Mr. EILBERG from the Committee on Motor Vehicles, reported as amended, House Bill No. 1430, entitled:

An Act repealing section 1035 act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act, and other acts relating to the ownership, possession and use of vehicles and tractors," relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

Mr. FILO from the Committee on Boroughs, reported as amended, Senate Bill No. 171, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the zoning board of adjustment must give their decision within forty-five days.

#### RESOLUTION

##### RECALLING HOUSE BILL NO. 1427 FROM THE GOVERNOR

Mr. STEWART offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 21, 1959.

Resolved (if the Senate concur), that House Bill No. 1427, Printer's No. 702, entitled "An act amending the act of May 4, 1927 (P. L. 519) entitled 'An act concerning boroughs and revising, amending and consolidating the law relating to boroughs' permitting council to request that a certified check accompany bids for contracts," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.



## BILLS ON FINAL PASSAGE

## BILL PASSED OVER

There being no objection

House Bill No. 514, Printer's No. 957  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 867, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—156

Anderson,	Fulmer,	McCann,	Rudisill,
Arlene,	Gailey,	McCormack,	Sakulsky,
Ashton,	Gallagher,	McDonald,	Scarcelli,
Balthaser,	Garlock,	McInroy,	Schaaf,
Bell,	Gelfand,	McKeever,	Schuster,
Boles,	Goodrich,	McLaughlin,	Schwartz,
Boris,	Hamilton,	Machmer,	Seltzer,
Bower,	Heffner,	Maxwell,	Sherman,
Bowman,	Helm,	Meholchick,	Shupnik,
Branca,	Henzel,	Merry,	Silverman,
Brenninger,	Holliday,	Mihm,	Snare,
Breth,	Holt,	Mills,	Snider,
Buchanan,	Horst,	Monroe,	Stank,
Burns,	Irviss,	Muldowney,	Stewart,
Capano,	Isaacs,	Mullen,	Stone,
Capitolo,	Jenkins,	Munley,	Stoner,
Cianfrani,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Johnson, R.,	Murray, H. P.,	Stroup,
Clarke,	Jones, F. R.,	Murray, J. J.,	Taylor,
Comer,	Jump,	Musto,	Tompkins,
Crossin,	Jones, T. H. W.,	Naugle,	Varallo,
Curwood,	Kamyk,	Needham,	Verona,
Davis,	Kernaghan,	Nelson,	Wall,
Dengler,	Kessler,	O'Donnell, J. A.,	Wargo,
Dennis,	Knecht,	O'Donnell, J. P.,	Weldner,
Devlin,	Kooker,	Ogilvie,	Welsh,
Donahue,	Kornick,	O'Neil,	Wheeler,
Dougherty,	Korns,	Parlante,	Whittaker,
Edwards,	Kovolenko,	Pashley,	Williams, A. D., Jr.,
Ellberg,	Kubitsky,	Perry, H. H.,	Williams, E. S.,
Eshback,	Lamb,	Perry, P. E.,	Willard,
Fetterolf,	Lee, K. B.,	Petrosky,	Willaredt,
Filo,	Leonard,	Polaski,	Wilt,
Fineman,	Light,	Polen,	Worley,
Floyd,	Limper,	Prendergast,	Wynd,
Flynn,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Renwick,	Yetter,
Fox,	Lutty,	Riley,	Andrews,
Frank,	McCandless,	Rovansek,	Speaker
Frascella,			

## NAYS—31

Agnew,	Goldstein,	Markley,	Stevens,
Barton,	Guthrie,	Miller, B. Z.,	Stimmel,
Bonner,	Hocker,	Miller, H. G.,	Truslo,
Dennison,	Jim,	Murphy, P. J.,	Varner,
Donaldson,	Kee,	Price,	Walsh,
Eshleman,	Keiser,	Reibman,	Wood,
Ewing,	Lee, A. M.,	Royer,	Zimmerman,
Gibb,	Mahan,	Steckel,	

## NOT VOTING—22

Auker,	George,	Moran,	Rigby,
Blair,	Gramlich,	Murray, P. G.,	Sullivan,
Brown,	Haudenschild,	O'Dell,	Thompson,
Cooper,	Heavey,	Odorisio,	Ujohal,
Down,	Luigard,	Reidenbach,	Wescott,
Farabaugh,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 988 Printer's No. 1092 and

House Bill No. 1057 Printer's No. 961

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1142, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for construction contracts.

On the question,

Shall the bill pass finally?

Mr. STROUP. Mr. Speaker, I would like to interrogate one of the sponsors of the bill to secure some information for the House generally, either Mr. Comer, Luty or Kee.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Comer.

Mr. STROUP. Mr. Speaker, I direct the gentleman's attention to page 2 of House Bill 1142, and read to him the following. Perhaps if he had the bill there before him, he could answer my questions.

On line 11, page 2, we have bracketed out from the bill, "a contract or" and we have the word following it "separate" contracts put in the bill, which leads me to the interpretation that under any contract let on bids, referring particularly to plumbing, heating and ventilating or lighting systems which would cost \$1,000 it would be necessary to let separate contracts. It is mandatory.

Mr. COMER. Was that question, Mr. Speaker, under or over \$1,000?

Mr. STROUP. \$1,000 on any contract for plumbing, heating, ventilating or lighting systems under exemption to contracts let on bids, you would necessarily have to have a separate contract. In other words, you could not let all of the contract out for one bid, you must make the mechanics separately?

Mr. COMER. That is right.

Mr. STROUP. I thank the gentleman for that interpretation.

Mr. Speaker, I believe this is bad legislation because it prohibits the school boards from getting perhaps a better bid by lumping the contracts together. Therefore, I would advise the House it is best to defeat this measure for that particular reason.

The other sections of the bill appeal to me as being quite warranted, and I dislike really to defeat the bill when it eliminates requirements for architectural services and when it also inserts the use of pre-fab units.

Perhaps it would be wise to have the Majority Leader, if the Minority Leader would consent, and the House would, for us to review this situation, make sure that my criticism is correct, and thereby adjust it accordingly. I would make that suggestion if it would meet with the Majority Leader's approval.

Mr. McCANN. I beg your pardon, sir?

Mr. STROUP. I was suggesting that due to the criticism



which I voiced concerning the use of separate contracts for mechanicals that rather than take the chance of defeating the bill, unless the Majority Leader feels it will carry any way, we might hold the bill over to see if we might correct that situation in the bill.

Mr. McCANN. Mr. Speaker, I certainly can concur with whatever agreement the gentlemen work out. We checked on the bill, Mr. Johnson and I, and they said there was no objection by anyone at that time. I have no objection.

I met with Mr. Comer this morning and he said the bill was amended by corrective legislative red stamped amendments yesterday or the previous day. Therefore, it was in order as far as the Legislative Reference Bureau was concerned, and whatever is agreed to here can certainly be handled very nicely. It was marked fast roll call, negative votes only; it was not known if there were any negative votes on the bill.

Mr. STROUP. Well, I will leave the matter entirely to the Majority Leader's discretion. As the bill presently stands, I would advise the House to vote against it.

Mr. COMER. Am I in the position at this time after the vote has been taken to explain the reason for this bill?

The SPEAKER. The gentleman is in order to discuss the bill.

Mr. COMER. Then I am in order, Mr. Speaker, to explain this bill. This bill came through last session through the efforts of someone in the conference committee who attached an amendment to a school bill. Now our school districts along with other state systems on building have always been under the 1913 separation act. All this does is place the schools back under the separation act of 1913 were it has operated successfully for 45 years.

#### MOTION TO POSTPONE

Mr. STROUP. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. A. M. LEE. I feel that Mr. Comer has explained that this bill merely puts back into the Public School Code what was there prior to last Session of the legislature. I feel the bill is in good shape, it is in good order and in a position to be voted upon today. I therefore ask the Members to vote against the motion to place the bill on the postponed calendar.

Mr. McCANN. Mr. Speaker, I assure you we did not know until now, of this motion to place the bill on the postponed calendar, and the opposition to the motion. I am going to ask the gentleman who made the motion if a division is acceptable.

Mr. A. W. JOHNSON. May I make this statement? On this side of the House we have tried to cooperate with our caucus by pretty much covering bills before they are acted upon on the floor.

I realize there was an amendment placed into this bill. It is true that Mr. McCann and I discussed the bill at the desk this morning, and I thought the bill would be brought up and debated, and the amendment would be explained and be ready for a vote. Apparently the amendment inserted in the bill goes further than we expected, and I believe that Members on our side would probably feel a lot better if the bill was placed on the final passage postponed Calendar to permit us to again caucus on the

bill on Monday so we can intelligently vote on the bill.

So, although the gentleman from Philadelphia has made a good statement about the bill, I feel our Members would be a lot happier if the bill could stay over until Monday so we could again caucus on it.

On the question recurring,

Will the House agree to the motion?

A division was called for, eighty-five Members having voted in the affirmative and one hundred in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, I am not well versed on this bill, and I want this cleared so that we will know.

Prior to two years ago when bids were being received, the bids were separated. The amendment that was put in the law called for the one bid. There are those who say that when you have separated bids you get more bidders, you get more competitive bids, which reduces the cost, because when you get one bid the general bidder gets a bid for this, a bid for that, and a bid for the other in the different fields, and then he puts his one bid in and adds their bids to take care of supervision; we will call it that. Now if it is true that by separating the bids you can get more bidders, better bidders, qualified bidders, and save money, then that is what I am for. If I am wrong, and I am not well versed in this field, then I ought to be against the bill. But I am for the bill, and that is the position if that is what it does.

Mr. STROUP. The bill, in my judgment, should retain separate contracts and/or a contract. In that way the board would have a choice. It could ask for separate contracts or it could ask for a total contract. It would not destroy the competitive bidding on the separate contracts. I merely ask that the phrase "a contract," which now is deleted from the bill, be kept in the bill. We would have the advantage therefore on either. If that were the case you would have the opportunity of having one contractor bidding on a unit, and frequently you will find that because he has the entire job he can bid lower. Or you can put it out on separate contracts and take your choice. As it is now you must put it out on separate contracts, and you lose the advantage of having one contractor bidding on the whole package.

Mr. McCANN. Mr. Speaker, the gentleman is correct that this is what the bill would do, but those in the various fields say that when you are bidding separate contracts there are going to be quite a few bids now in each respective field and, my friends, this is a business in which they must compete, and the lowest qualified bidder gets the job. If that is so, the theory behind the bill would certainly indicate it would very likely result in a reduction in the bid figures to do the same job. If that is true, why spend more money than you have to? Get the most for the dollar you can. This is school money and these are school contracts.

Mr. COMER. Mr. Speaker, the one point that was not brought out in dealing with the price on contracts was the fact that when these two items, electrical work and plumbing work, are placed under one general contract there are always the two bargaining points they use to peddle these sub-contracts around with. As a result, as far back as 1913, when this separation act became law,



there was a certain amount of finagling going on as far as state work was concerned with these two industries. That is why the separation act was passed into law.

Now here is what happens with your schools if you go out and save a couple of dollars on cheap bids. When the work is completed there are two items, the plumbing industry and the electrical industry which are entirely closed in, and any time you get cheap electrical work or cheap plumbing work, you are going to run into defects. At this time, speaking on behalf of the plumbing business—which I do not know too much about—with these epidemics of polio going about, I think it is very important that we have first-class work in the plumbing industry.

I do not think I have to elaborate on the electrical industry, because that is a very important part of our school program today with electronics. It is a very, very dangerous item. So I think all this equipment should be installed by qualified contractors and placed under separate bids. This must have worked well because it has been law for 45 years.

Mr. STRAUSSER. Mr. Speaker, as a general contractor, I want it to be known that I do not have any quarrels with electrical contractors, or plumbing, heating or other mechanical contractors. I merely want to try to clear up the thinking on this bill. As I read it, any job exceeding \$1,000 would have to be put out on four bids.

As an example, suppose in an old school building you want to remodel or revamp several of the toilet rooms, even one toilet room, and the total of the four contracts would exceed \$1,000. The work involved might include tile work, changing of partitions and so on, which would be general; it might include the changing of one light fixture, which would be electrical; changing some of the plumbing would be plumbing, of course, and changing a few heating pipes. In other words, you would have four contracts to do \$1,000's worth of work. I think the school district would be put to a decided disadvantage in getting these bids, for this reason: I cannot visualize any electrical contractor desiring to put a bid in to change a light switch, or a light outlet, a separate bid; I cannot visualize the heating contractor putting in a bid to change a few pipes. The plumbing contract, of course, in a case like that would probably amount to more than the other three put together. But I think you are putting a school district at a decided disadvantage when you require it to take separate bids on a small contract such as \$1,001 to \$2,000.

I do think the school district should retain the right to award one contract or four contracts, and I think before this bill was amended that is what it did. Ordinarily on a new school building you do take four separate contracts. They are sizable jobs. I will back up Mr. Comer to this extent, that I do believe, too, in having qualified contractors do their respective portions of the work. But I think in the case of the small contract the school district should be able to retain the right to award one contract or four.

Mr. McCANN. Mr. Speaker, I listened very carefully. Let us see if we agree on this: The basic law permits the school board to award up to \$1,000 without any bids. You just took care of all political sub-divisions in that field in the new law. Now then, if a little job was being done and you were dividing a mythical plumbing, electrical

and general contract, it would not be \$1,001 that would be let.

If the plumbing was over \$1,000, the school board would have to advertise for bids. If the plumbing was separate from the other, as in the case requiring the four you speak of, would it not have to equal in each respective field \$1,000 or more, compared to the basic law which exempts \$1,000 without advertisement? We just passed it.

Mr. STRAUSSER. Mr. Speaker, in answer to the Majority Leader, as I read the bill it covers a contract upon a school property made by any school district where the "entire cost" exceeds \$1,000. The entire cost in my opinion, although I am not an attorney, is the total sum of the plumbing, heating, electric and general, the entire cost. So you would be awarding four contracts for the total sum of \$1,000, or you would be required under this bill to award four contracts if the total cost exceeded \$1,000. That is my understanding of the bill. I am subject to correction if I am wrong.

Mr. McCANN. Mr. Speaker, the bill has been very clearly defined.

It certainly was our intention and it certainly is our intention to find a way that every school district would have an opportunity to get the most bids, the greatest competition, which would help to reduce the figure. I think you will agree, if you have ever been on any board or any authority, one of the things that has bothered us at times is when you wake up with only two bids, you wonder about the two bids occasionally as they come in. Good competitive bidding reduces the figure and gets the most for the dollars, and that is the theory behind House Bill No. 1142.

Mr. A. D. WILLIAMS. Mr. Speaker, I am not a contractor and not an expert on school law; however, sitting here hearing this discussion about this bill disturbs me.

I believe I can say that everyone who has spoken agrees that our school districts should be able to build buildings and repair buildings at the cheapest possible cost. I believe, second, that everyone agrees that the workman or the contractor who does that work should be the best qualified person who can do it.

Now I would like to analogize this situation to a real estate auction, which I think most of you probably have attended at one time or another. It has been my experience that they almost invariably require bids on the separate lots or tracts, and then a bid on the whole. If the bid on the whole is higher than the total of the bids for all the separate tracts, then of course they will sell to the bidder on the whole tract. But if the sum of the separate bids is higher, they will sell to the separate buyers.

Now to me this is just exactly the opposite. I will agree that perhaps 99 times out of 100 the sum total of the four separate bids on these mechanical contracts would be lower than a general contractor's bid on the entire four. But it is also entirely possible that in certain instances the general contractor, if he were large enough, or if the job is a particular type of job, might have a lower overhead, be more efficient, or be a better workman. I ask all of you just to admit that it is conceivable his bid could be lower. But this bill would prevent him from putting in a bid on the whole job.

I cannot even agree with Mr. Stroup, who I believe is an expert in school matters, because I do not think that



he goes far enough. He says to let them do either one. I would like to see the bill postponed for today. I would like to see this bill redrawn to require bids both ways, a bid by the four separate mechanical contractors, and a bid, if they can get one, for the total job. Then, accept whichever is cheapest for the school district. I think that is what we all want and that is what we should have. But here you are allowing only the four separate bids, and while that may be the best thing most of the time, I think it is possible it might not be the best thing sometimes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—133

Anderson,	Gelfand,	McLaughlin,	Rudisill,
Arlene,	Goldstein,	Machmer,	Sakulsky,
Balthaser,	Hamilton,	Markley,	Scarcell,
Barton,	Henzel,	Maxwell,	Schaaf,
Bell,	Hocker,	Meholchick,	Schuster,
Boies,	Holt,	Miller, B. Z.,	Schwartz,
Bonner,	Horst,	Mihm,	Seltzer,
Branca,	Irviss,	Mills,	Sherman,
Brenninger,	Isaacs,	Monroe,	Shupnik,
Breth,	Jenkins,	Muldowney,	Silverman,
Burns,	Jim,	Mullen,	Snare,
Capano,	Johnson, R.,	Munley,	Snider,
Capitolo,	Jones, F. R.,	Murphy, A.J., Jr.,	Stank,
Cianfrani,	Jones, T. H. W.,	Murray, J. J.,	Steckel,
Cioffi,	Jump,	Musto,	Stewart,
Clarke,	Kamyk,	Needham,	Stimmel,
Comer,	Kee,	Nelson,	Stone,
Crossin,	Kelser,	O'Donnell, J. A.,	Taylor,
Curwood,	Kernaghan,	O'Donnell, J. P.,	Trusio,
Dennis,	Kornick,	Ogilvie,	Varallo,
Devlin,	Kovolenko,	O'Neil,	Verona,
Dougherty,	Kubitsky,	Parlante,	Wargo,
Ellberg,	Lamb,	Pashley,	Welsh,
Eshback,	Lee, A. M.,	Perry, H. H.,	Wheeler,
Filo,	Lee, K. B.,	Perry, P. E.,	Whittaker,
Fineman,	Leonard,	Petrosky,	Williams, E. S.,
Floyd,	Limper,	Polaski,	Willaredt,
Flynn,	Lopresti,	Polen,	Worley,
Foerster,	Luigard,	Prendergast,	Wynd,
Frank,	Luffy,	Reibman,	Yatron,
Frascella,	McCann,	Renwick,	Yetter,
Galley,	McCormack,	Riley,	Andrews,
Gallagher,	McDonald,	Rovansek,	Speaker
Garlock,	McKeever,		

## NAYS—56

Agnew,	Fetterolf,	Light,	Stoner,
Ashton,	Fox,	Lippincott,	Strausser,
Boris,	Fulmer,	McCandless,	Stroup,
Bower,	Gibb,	McInroy,	Tompkins,
Bowman,	Goodrich,	Mahan,	Varnier,
Buchanan,	Guthrie,	Merry,	Wall,
Davis,	Heffner,	Miller, H. G.,	Walsh,
Dengler,	Helm,	Murphy, P. J.,	Weidner,
Dennison,	Holliday,	Murray, H. P.,	Wescott,
Donahue,	Johnson, A. W.,	Naugle,	Williams, A.D., Jr.,
Donaldson,	Kessler,	Price,	Willard,
Edwards,	Knecht,	Pursley,	Wilt,
Eshleman,	Kooker,	Royer,	Wood,
Ewing,	Korns,	Stevens,	Zimmerman,

## NOT VOTING—20

Auker,	Farabaugh,	Magee,	Reldenbach,
Blair,	George,	Moran,	Rigby,
Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Cooper,	Haudenschild,	O'Dell,	Thompson,
Down,	Heavey,	Odoorislo,	Ujobal,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, we have agreed that we would work a lot longer today in trying to work out our calendar. We will work until approximately 1:15 so that the cafeteria will be through its regular noon customers downstairs, and we will take our break for lunch at that time and come right back. We believe that this will save time rather than trying to break at this period when the cafeteria is full.

The SPEAKER. The Chair is a member of the Committee that is discussing possible ways and means of reducing school construction costs and the Committee will meet.

The chair would like to have the gentleman from Cambria, Mr. Lopresti, preside during my absence.

## Mr. LOPRESTI IN THE CHAIR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1177, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law.

On the question,

Shall the bill pass finally?

Mr. McCANN. House Bill No. 1177, Printer's No. 1112, is a bill dealing with the change of address.

The present law permits such changes within 48 hours without any penalty whatever. This would change the existing law to 30 days but impose a penalty of \$5.00.

We think this is very good legislation. During the time that the license period runs in the Department, there are a considerable number of changes that occur all at the period when licenses are being secured from the Department of Revenue, rather than during the period after a person has changed his address.

This is important in more ways than one because all the people who operate a motor vehicle or own a motor vehicle have a registration or a license and should at all times have their correct addresses.

I ask that the House vote unanimously on this bill.

Mr. A. W. JORNSON. I just want to ask the Majority Leader one question about the bill. Does the Bill provide a \$5.00 penalty for the first time? It seems to me the bill was only for violating Section 8, which you have added if you violate subsection (c), which is the subsection we are talking about. For the first time, there is a penalty of \$5 if you do not notify of a change of address within thirty days. Is that correct?

Mr. McCANN. It is my understanding that the penalty is \$5.00 for failure to notify in the period designated, and I believe it reads thirty days, does it not, for the first time.

Mr. A. W. JOHNSON. Previously it said that you should do it within 48 hours, but if you did not do it there was no penalty.

Mr. McCANN. There is no penalty now, and 48 hours is the time in the law now.



Mr. A. W. JOHNSON. I believe with that explanation of the new \$5 penalty for such a minor infraction we ought to have a slow roll call on it.

Mr. ISAACS. Mr. Speaker, for the edification of the Members of the House, the same penalty is assessed in the Motor Vehicle Tractor-Trailer Code for failure to notify changes of registration. Why the operators were not included there, I do not know. It was probably an oversight.

Under present law, when a registered owner moves and does not change his address within 48 hours he is subject to a fine of \$5, or I believe it is three days in default of payment. This simply puts operators under it, and we have more operators than we have owners.

Mr. McCANN. Mr. Speaker, I want the record to show that correction. That is correct. In that phase of it, it is now in the law and I certainly thank Mr. Isaacs for bringing that to our attention. This just adds the one section dealing with the operators.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Galley,	McCann,	Rudisill,
Anderson,	Gallagher,	McCormack,	Sakulsky,
Arlene,	Garlock,	McDonald,	Scarceill,
Ashton,	Gelfand,	McInroy,	Schaaaf,
Balthaser,	Gibb,	McKeever,	Schuster,
Barton,	Goldstein,	McLaughlin,	Schwartz,
Bell,	Goodrich,	Machmer,	Seltzer,
Boies,	Guthrie,	Mahan,	Sherman,
Bonner,	Hamilton,	Markley,	Shupnik,
Boris,	Heffner,	Maxwell,	Silverman,
Bower,	Helm,	Meholchick,	Snare,
Bowman,	Henzel,	Merry,	Snider,
Branca,	Hocker,	Miller, B. Z.,	Stank,
Brenninger,	Holliday,	Miller, H. G.,	Steckel,
Breth,	Holt,	Mihm,	Stevens,
Buchanan,	Horst,	Mills,	Stewart,
Burns,	Irviss,	Monroe,	Stimmel,
Capano,	Isaacs,	Muldowney,	Stone,
Capitolo,	Jenkins,	Mullen,	Stoner,
Cianfrani,	Jim,	Munley,	Strausser,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Johnson, R.,	Murphy, P. J.,	Taylor,
Comer,	Jones, F. R.,	Murray, H. P.,	Trusio,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Varallo,
Curwood,	Jump,	Musto,	Varner,
Davis,	Kamyk,	Naugle,	Verona,
Dengler,	Kee,	Needham,	Wall,
Dennis,	Kelser,	Nelson,	Walsh,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Wargo,
Devlin,	Kessler,	O'Donnell, J. P.,	Weidner,
Donahue,	Knecht,	Ogilvie,	Welsh,
Donaldson,	Kooker,	O'Neill,	Wescott,
Dougherty,	Kornick,	Parlante,	Wheeler,
Edwards,	Korns,	Pashley,	Whittaker,
Ellberg,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lamb,	Petrosky,	Willard,
Ewing,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yatron,
Foerster,	Lopresti,	Renwick,	Yetter,
Frank,	Luigard,	Riley,	Zimmerman,
Frascella,	Lutty,	Rovansek,	Andrews,
Fulmer,	McCandless,	Royer,	Speaker

## NAYS—2

Fox, Tompkins,

## NOT VOTING—20

Auker,	Farabaugh,	Agee,	Reidenbach,
Blair,	George,	Moran,	Rigby,

Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Cooper,	Haudenschild,	O'Dell,	Thompson,
Down,	Heavey,	Odoriso,	Ujober,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1187, entitled:

An act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

On the question,

Shall the bill pass finally?

Mr. McCANN. House Bill 1187, Printer's No. 1129, is the change in the Motor Vehicle Code which we commonly call the "downhill" or the vehicle bill dealing with trucks or tractors on grades on Pennsylvania downgrades.

Two Sessions ago, we passed similar legislation, in which after it had passed the House it was returned to the House with various degrees of slopes and degrees and fees and elements in the bill.

Mr. Speaker, this does not have any of those items in the bill but is very clearly defined as to the area in which vehicles would have to engage into a lower gear and the maximum speed that they would go downgrade and the posting of the areas.

Mr. Speaker, I understand that this bill is acceptable to a fast roll call.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I will yield to Mr. Fineman who served on the Amendment Committee.

The SPEAKER pro tempore. Is the substitution satisfactory?

Mr. TOMPKINS. Yes, Mr. Speaker.

Mr. Speaker, do the amendments in this bill provide that the state restrictions be placed only on those highways where there are three or more lanes?

Mr. FINEMAN. Is the gentleman speaking about the latest amendments or the first amendments?

Mr. TOMPKINS. I am speaking about the bill in its present form that we are about to vote upon.

Mr. FINEMAN. The bill in its present form makes no provision as to the number of highways that are in question, I mean number of lanes. It will apply to a two-lane as well as a multiple lane highway. That is correct.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

Mr. BOWMAN. Mr. Speaker, as a member of the special committee which reviewed these bills, I merely want to call to the attention of the House the fact that this bill as approved by the committee has since been amended. That is a matter of information primarily.

The committee felt that this bill should be limited to those downhill grades where the department could provide an additional lane for other downhill traffic to avoid the same problem which, over the history of the Com-



monwealth, we have had on upgrade traffic where slow trucks hold up traffic. The committee recommended it and the bill, the prior Printer's number of the bill, called for this provision to go into effect only where there was another available downhill lane for other traffic. The bill was amended back to its original form.

I think the Members of the House are entitled to that information in voting upon this bill.

Mr. FINEMAN. I think that the information which the gentleman provided to the House was apparent from the face of the bill itself. I think the House ought to know that the philosophy expressed in the several bills considered by the committee was not necessarily approved or agreed to by the committee as a whole. The purpose of the committee was to agree upon technical language and so far as it could, it did agree upon technical language.

The objection that was raised at the committee meeting on the question of having this bill applicable to those highways that had more than two lanes was this: If a truck should be proceeding at a speed of 20 miles per hour on a downgrade, it would, of necessity, on a two-lane highway hold up those motor vehicles that happen to be behind the truck that was going at this reduced rate of speed. It strikes me that the inconvenience that might be entailed in drivers proceeding at this reduced rate of speed because of the truck ahead of them is a small price to pay for the safety factor that is being accomplished by the bill in its present form.

I want you to keep in mind that this bill is applicable only to commercial vehicles in excess of 21,000 pounds. Can you foresee the havoc that can be wrought on any towns that lie at the foot of a hill where a truck in excess of ten tons gets away from its driver simply because it has been traveling at an excessive rate of speed? And as we weigh the inconvenience against the possible saving of property and lives and limb, it is a small price, indeed, to pay.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—183

Agnew,	Fulmer,	McCormack,	Sakulsky,
Anderson,	Galley,	McDonald,	Scarcelli,
Arlene,	Gallagher,	McInroy,	Schaaf,
Ashton,	Garlock,	McKeever,	Schuster,
Balthaser,	Gelfand,	McLaughlin,	Schwartz,
Barton,	Gibb,	Machmer,	Seltzer,
Bell,	Goldstein	Mahan,	Sherman,
Boles,	Goodrich,	Markley,	Shupnik,
Bonner,	Hamilton,	Maxwell,	Silverman,
Boris,	Heffner,	Meholchick,	Snare,
Bower,	Helm,	Mihm,	Snider,
Bowman,	Henzel,	Miller, B. Z.,	Stank,
Branca,	Hocker,	Miller, H. G.,	Steckel,
Brenninger,	Holliday,	Mills,	Stevens,
Breth,	Holt,	Monroe,	Stewart,
Buchanan,	Irvis,	Muldowney,	Stimmel,
Burns,	Isaacs,	Mullen,	Stone,
Capano,	Jenkins,	Munley,	Stoner,
Capitolo,	Jim,	Murphy, A. J., Jr.	Strausser,
Cianfrani,	Johnson, A. W.,	Murphy, P. J.,	Stroup,
Cioffi,	Johnson, R.,	Murray, H. P.,	Taylor,
Clarke,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Comer,	Jones, T. H. W.,	Musto,	Trusilo,
Crossin,	Jump,	Naugle,	Varallo,
Curwood,	Kamyk,	Needham,	Varner,
Davis,	Kee,	Nelson,	Verona,
Dengler,	Kelser,	O'Donnell, J. A.,	Wall,
Dennis,	Kernaghan,	O'Donnell, J. P.	Walsh,
Dennison,	Kessler,	Ogilvie,	Wargo,
Devlin,	Knecht,	O'Neill,	Weidner,

Donahue,	Kooker,	Parlante,	Welsh,
Donaldson,	Kornick,	Pashley,	Wescott,
Dougherty,	Korns,	Perry, H. H.,	Wheeler,
Edwards,	Kovolenko,	Perry, P. E.,	Whittaker,
Ellberg,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Lamb,	Polaski,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Polen,	Willaredt,
Ewing,	Leonard,	Prendergast,	Wilt,
Filo,	Light,	Price,	Wood,
Fineman,	Limper,	Pursley,	Worley,
Floyd,	Lippincott,	Reibman,	Wynd,
Flynn,	Lopresti,	Renwick,	Yatron,
Foerster,	Luigard,	Riley,	Yetter,
Fox,	Lutty,	Rovansek,	Zimmerman,
Frank,	McCandless,	Royer,	Andrews,
Frascella,	McCann,	Rudisill,	Speaker

## NAYS—6

Fetterolf,	Horst,	Merry,	Willard,
Guthrie,	Lee, K. B.,		

## NOT VOTING—20

Auker,	Farabaugh,	Magee,	Reidenbach,
Blair,	George,	Moran,	Rigby,
Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Cooper,	Haudenschild,	O'Dell,	Thompson,
Down,	Heavey,	Odorisio,	Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1242 on page 11 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1242, entitled:

An Act amending the "Vehicle Code" of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" increasing penalties for speeding.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, this is another of the bills of the Highway Safety package. This bill would change the present penalty in the Motor Code for speeding from ten to twenty dollars. The additional ten dollars now in the present proposed piece of legislation would be turned over to the Commonwealth of Pennsylvania which, in the opinion of many of the Members, would be for better government in regard to local situations, where existing speed traps are certainly a source of harassment to motorists and are opposed by the automobile clubs of Pennsylvania in their listings.

The bill was amended where there were a series of fines for a first offense, second offense, and third offense. This has been removed and there is only one offense designated, changing it from the present ten dollars, plus costs, to twenty dollars, plus costs.

I ask that everyone support this measure, which in turn is an effort to slow down the traveling public in the Commonwealth of Pennsylvania and to save their lives as well as all the lives of our citizens.

Mr. BOWMAN. Mr. Speaker, I again rise merely to call to the attention of the House that subsequent to the referral of this bill by the Special Committee an additional amendment has been made to the bill.



This amendment, insofar as the Republican caucus is concerned, was neither known nor discussed until the bills were put on our desks yesterday. The amendment which has been added to the bill provides that one-half of the twenty-dollar fine now imposed by this bill, under existing laws the fine being ten dollars, will go to the Commonwealth of Pennsylvania, which is a departure from existing law with respect to the disposition of fines for speeding.

I merely want to call that to the attention of the House and particularly the Members of the Republican caucus. It was not discussed and therefore in voting upon this bill you are now voting upon a departure of philosophy with respect to the disposition of 50 percent of the fine imposed by the bill.

Mr. ISAACS. Mr. Speaker, I would like to briefly interrogate the Majority Leader.

The SPEAKER pro tempore. Will the gentleman yield?

Does the Majority Leader desire to yield to the gentleman from Philadelphia, Mr. Fineman, on these bills?

Mr. McCANN. I will be glad to yield to Mr. Fineman, certainly, sir.

The SPEAKER pro tempore. Will the gentleman agree to interrogate the gentleman from Philadelphia?

Mr. ISAACS. I will, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, is this not a new concept in disposition of fines where we divide a fine for a particular section of the Motor Vehicle Code between the local municipalities and the Department of Revenue?

Mr. FINEMAN. It is.

Mr. ISAACS. Mr. Speaker, is it not a fact that under present law and rulings of the department the minor judiciary must issue a receipt prescribed by the department, which comes in three sections, one copy going to the defendant, one copy to the department, and one copy for retention by the minor judiciary?

Mr. FINEMAN. Well, since the gentleman is a J. P. himself, if he will advise me that they are the facts, I will have to abide by them.

Mr. ISAACS. I assure the gentleman that is correct, Mr. Speaker.

If this proposed bill becomes law, is it not a matter of fact that in every one of these violations the magistrate will be required to issue two receipts?

Mr. FINEMAN. I am not sure that the mechanics in question will lend themselves to that result. As a matter of fact, I have not thought through the mechanics of this from the standpoint of a J. P., but let us assume for purposes of this discussion that they are the facts.

Mr. ISAACS. Mr. Speaker, I thank the gentleman.

Those are the facts. We cannot issue one of the state receipts for a fine or any part of a fine that goes to a municipality. And, unless the Department of Revenue makes some correction in their system, it will be necessary in every case of violation of Section 1002, for speeding, that two separate and distinct receipts will have to be issued. That I think is an imposition and I think the department should work out some system whereby one receipt would cover both portions of the fine.

Mr. McCANN. Mr. Speaker, this was considered and certainly we can clear the record definitely.

The Justice of the Peace now issues a monthly report to the Department of Revenue within ten days following the month, the preceding month. At the same time

they issue a report. We will say, they have collected certain types of fines that are due the political sub-division, township or borough, they issue their report to that respective political sub-division. Therefore, they still will issue the same reports that they have in the past.

The question involved is with the Department of Revenue, and may I assure the Members that the request of Mr. Isaacs representing the magistrates or Justices of Peace of Pennsylvania, with whom the Department of Revenue would work it out so that you would issue one receipt to take care of the splitting of the fines, can be accomplished very easily, and I assure you that that is what we will do. Satisfactory?

Mr. FINEMAN. Mr. Speaker, I briefly want to make a reply to the remarks made by the gentleman from Dauphin, Mr. Bowman.

First, concerning the fact that the present amendment in the bill was not considered at the meeting. Apparently, and I think Mr. Bowman will have to agree with me, the individual Members of the House who were appointed to that committee did not represent the best thinking available in the House. I was subsequently enlightened on the point in question, and I am sure that if the amendments had been presented at the time, Mr. Bowman would likewise have accepted that enlightenment.

Secondly, about the change of philosophy. Simply because a certain philosophy has prevailed for, lo, many years in this House, it does not of necessity mean that it is the best thinking available.

The purpose of this bill's increasing fines is to set up an additional deterrent to those who violate our speed laws and who recklessly drive their motor vehicles at an excessive rate of speed on our highways. It would cost the local municipalities no more money to assess a fine of twenty dollars than it does to assess a fine of ten dollars.

The purpose of this bill is not to further enrich the treasuries of the local municipalities, but to set up a deterrent to discourage our motorists from going at an excessive rate of speed. Likewise, if we were to allow the additional fines to go into the local treasuries, there is the ever-present threat that fining mills will be encouraged. This course of action we do not want to encourage.

Mr. BOWMAN. Mr. Speaker, I concur with the gentleman's remarks that the best thinking was probably not represented by the membership on that committee. However, that is completely irrelevant, in my opinion, to the real issue here involved. I am very much interested in the safety program. I am very much in favor of increasing the fine for speeding. Regrettably, at least in my opinion, however, we have injected into essentially a safety program, a completely different subject-matter. And, it is that subject-matter which is properly the subject for, perhaps, debate for change, for modification, but it has no place in this legislation.

This is safety legislation, not legislation dealing with the philosophy of whether the state should or should not share in fines, and that is precisely the position of the amendments to this bill, which are now placed and which we are considering in passing upon this bill. If there had not been injected into this bill the question of how fines should go, to whom and in what amounts, I



definitely would have voted for this bill. In its present form I do not believe it proper to be injected into the bill and, therefore, in spite of the fact that I favor the basic principle of the bill, I intend to vote against the bill and I request all Members who feel the same way to do likewise.

Mr. ISAACS. Mr. Speaker, I did not intend to inject this expression into this debate at the present time. I intended to do it when a motion is brought up today to recommit another bill to a committee.

However, since the gentleman from Philadelphia, Mr. Fineman, seems to insist, as he did yesterday, and again today on bringing fining bills into the debate, and the tendency possible in certain municipalities is to impose more fines, I take this opportunity to remind the gentleman that under the Motor Vehicle Tractor-Trailer code the city of Philadelphia is the only municipality in this state which keeps all the fines for summary convictions under the Motor Vehicle Tractor-Trailer Code, and while the gentleman was speaking—

#### POINT OF ORDER

Mr. SHERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERMAN. I ask that the gentleman be confined to the bill. We are not talking about Philadelphia or what Philadelphia does.

The SPEAKER pro tempore. The point of order is well taken. The gentleman will confine his remarks to the bill before the House.

Mr. ISAACS. Mr. Speaker, I am speaking about what this bill does, and I think I am in order in so doing.

As I said, the city of Philadelphia is the only one that keeps all the fines—

The SPEAKER pro tempore. The Chair has ruled that the gentleman must confine himself to the present bill, and there is nothing in the bill concerning Philadelphia or the Tractor Code. This bill refers specifically to speeding and the fines for speeding. The gentleman must confine his remarks to the bill.

Mr. ISAACS. This bill would become a part of the Code, Mr. Speaker. But I will make those remarks at another time today.

I will back up the remarks of the gentleman from Dauphin, Mr. Bowman, and ask the Members on this side of the House to vote against this bill.

Mr. TOMPKINS. I should like to interrogate the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, will the split fine that comes to the state under this bill go into the Motor License Fund or will it go into the general fund?

Mr. FINEMAN. It will go into the general fund.

Mr. TOMPKINS. Will the split fine that is designated in this bill for the Commonwealth, where the fines are limited to the city of Philadelphia, be paid into the state general fund.

Mr. FINEMAN. Will the gentleman repeat that question?

Mr. TOMPKINS. Will fines paid in the city of Philadelphia, the share which is designated under this bill to go to the Commonwealth, will that share from fines

collected in Philadelphia be paid into the general fund?

Mr. FINEMAN. I think on a point of order raised the Chair has ruled that this type of question is improper.

The SPEAKER pro tempore. The Chair did not so rule on this specific question. The gentleman, I believe, is in order at this particular time.

Mr. FINEMAN. If you will pardon me for being facetious, Mr. Tompkins. I see nothing in this bill that would indicate the conclusion that you want to bring me to.

Mr. TOMPKINS. Is it not true that under a section of the Constitution all fines levied and collected under the magistrates of Philadelphia, under this bill are paid into the city of Philadelphia or county treasury instead of paid into the state?

Mr. FINEMAN. I cannot answer with certainty.

Mr. TOMPKINS. Well, I do know because I have raised the issue before. I have recently gone through that very thing with the Constitutional Revision Commission. All fines, or additional fines, or the share which the 66 counties will receive otherwise will be paid into the general fund of the Commonwealth of Pennsylvania. Where they are levied in Philadelphia they will be wholly kept in the city of Philadelphia.

Mr. FINEMAN. All I can do is compliment the wisdom of the draftsmen of the Constitution.

Mr. TOMPKINS. Having had experience on this very question before in other matters, I think I know whereof I speak.

I want to endorse the remarks of the gentleman from Dauphin, Mr. Bowman. I am very much confused on this bill right now because we have brought fining mills into it, we have brought safety into it and a whole host of other things. If we are trying to break up fining mills, certainly leaving a portion of the fines in the community where the events took place is not going to accomplish your purpose. I am not satisfied in my own mind, or from my own experience, that increasing the fines on speeding is going to have the beneficial effect which you are trying to accomplish.

You know and I know as legislators, and I know as a practicing attorney, that the one thing that deters people from speeding is the fear of the loss of their license and not the fine they have to pay. Until I am convinced to the contrary, I am not satisfied that an increased fine upon anybody is going to deter them from speeding.

Mr. BRENNINGER. Mr. Speaker, before you rule against me, let me make something very clear. The end results will come about after I make a few basic remarks.

First of all, I am surprised that the Chairman of the Republican part of that sub-committee did not know about the changes.

Secondly, I heard a remark about the better thinking of the Committee. The better thinking of the committee can only be utilized if they are given a chance.

I am sorry that the gentleman from Philadelphia would start the meeting and keep talking until it was over. He was interested, which he told you today, in technical parts of the program. That is not what everyone in this room is interested in. Now I think, and not alone, because the Republican side of the House did not know about the amendments, every Member of this House, to keep the committees and sub-committees active, should vote against this bill.



Mr. FINEMAN. Mr. Speaker, I would like to interrogate the gentleman who just spoke.

The SPEAKER pro tempore. Will the gentleman from Montgomery, Mr. Brenninger, permit himself to be interrogated?

Mr. BRENNINGER. I shall, Mr. Speaker.

Mr. FINEMAN. Will you break down for the Members of this House and be explicit in the comment you made that the gentleman from Philadelphia started to speak at the beginning of the meeting and did not finish speaking until the end of the meeting?

Mr. BRENNINGER. I said that the gentleman from Philadelphia started the meeting, and would address the gentlemen on the Republican side and after that he would agree, and that is exactly what happened. You brought up the points you thought should be changed and you admit they were technical, which was all right. They probably are and they probably were, but there is more involved in this bill than that particular part. At the meeting we tried, I think, to help the safety program, and I think it is not only my conclusion but other Members of the Committee that—

Mr. FINEMAN. Are you suggesting by your comment that I usurped the time and the function of the balance of the Members of that committee?

Mr. BRENNINGER. Oh, I wouldn't put it in just that language, no. I shall put it in this language and I will repeat what I said, that you took over the meeting, that you kept talking, bringing the points about. If that is what you call usurping, go ahead, that is it. But I did not make those statements; you did.

The SPEAKER pro tempore. The Chair believes that the entire subject is out of order.

Mr. FINEMAN. Could I ask just one more question, Mr. Speaker?

Mr. McCORMACK. I rise to a point of order, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman yield to Mr. Fineman for just one question, then he will be recognized?

Mr. FINEMAN. Agreeable to the Chair, I would like to pursue this further under a question of personal privilege, and I think I am in order.

The SPEAKER pro tempore. The Chair would suggest that the question be brought up after the bill has been disposed of, and that the question of personal privilege be discussed at length after that if necessary.

Mr. McCORMACK. Mr. Speaker, I rise to state a point of order. The point of order that I would like to raise—maybe it is moot now—is that I think we do not lend dignity to this Chamber by discussing personalities and I think it might be out of order if they continue this discussion.

The SPEAKER pro tempore. Personalities have no place, and the Chair has ruled that under personal privilege later on you might discuss these questions.

Mr. McCANN. Mr. Speaker, this is a highway safety bill. I certainly do not come from Philadelphia but I believe, and so do many of us, that the speeding fine should be increased just as it is in here from \$10 to \$20. Why was the provision put in the bill whereby one-half of the fine would go to the Commonwealth? To put it point blank, you know and I know that we cannot pass legislation to wipe out some of these speeding mills. If we

could, we would; but this we intended to try to do. We are not going to try to help to build any more of them. I think you will agree that when you send one-half of the fine money to the Commonwealth, you are not encouraging that which you and I agree should not exist.

If you recall, a year ago or perhaps two years ago, the speed traps of Pennsylvania were listed by route number, location and the counties they were located in, and the automobile clubs of Pennsylvania time and time again have specifically objected in certain areas to nothing more than speed mills and speed traps in which they did nothing but continually fine people on a theory and it held up speeding. That is not good law. That is not what we believe in and neither do you believe in that, but we do believe in safety.

I think that the gentleman from Cameron, Mr. Tompkins, who stated here on the floor about the fines pertaining to the city of Philadelphia, knows the record has to be clear. Their fines do not come to the Commonwealth and his statement was correct, and rightfully so. That is the way it is written and that is the way they abide by the law and they handle it.

Therefore, it is not a problem of voting against this bill because Philadelphia fines do not come to the Commonwealth. I am voting for the bill. I am certainly not voting to support getting money for the city of Philadelphia. I represent my own legislative district in which the money from these fines would go to the Commonwealth. It is time we wiped out these speed mills and if we know a way to do it, let us do it.

This is a highway safety package, and let us keep it in that light, even though it has been brought up that the bill was amended after the Committee had worked on it very carefully. I compliment that committee, I complimented them yesterday because they did an outstanding job on a series of bills. They did a lot of work.

I say that you should vote on the merits of the bill, support the bill and support the highway safety package program. There are those who say that by increasing the fines of speeding it has never been proven that you save any lives, but has it been proven that by doing this you may have saved those that are living? Those that are dead cannot speak for themselves. I would like for this package to be considered in the light of what it stands for and support the package.

Mr. SCHWARTZ. Mr. Speaker, I was a member of that committee; Mr. Bowman was a member of that committee. I do not think that there should have been a discussion here as to what took place in that committee. I think that the prohibition about revealing what takes place in committee applies to that committee as much as to any House committees. However, I do not think that there should be any misconception or imputation or aspersion cast on any member of that committee.

I did not take offense at the fact that Mr. Fineman or Mr. Bowman were the two leading members of the two parties in that committee. I served on the committee; the other gentlemen served; we all took part in the consideration, in the decisions. It was extremely friendly. We were almost in complete agreement. It was an amazing thing. I think it was truly bipartisan and this is one of the conclusions we came to on a very debatable issue, on a bill which was given to this committee, which would have been very difficult to administer under the way it



was originally drafted. We all felt that something ought to be done in addition to what we are doing now to deter speeding on the highways. The main conclusion we came to as to the increase of the fine, I think, was mutual and unanimous as far as making this some kind of a workable bill that this Legislature could vote upon.

I agree with the Majority Leader. We are trying to deter speeding on the highways. Let us forget the other facets and the other things that have been thrown in here. I believe that this will deter speeding. You hit people two ways, not only through the loss of their license, but through their pocketbooks. I think this is good legislation. We ought to pass it.

Mr. GOLDSTEIN. Mr. Speaker, I am one of the sponsors of the bill and as a parent I do not recognize it. However, I am going to vote for it because it is a part of a constructive highway safety program. I am also going to vote for it because it may help to solve the tax problems of the city of Philadelphia and then everybody in Philadelphia will be able to vote for our state tax program.

Mr. TOMPKINS. Mr. Speaker, for the record, in order that there cannot be any misunderstanding, the remarks of the Majority Leader with reference to my position on fining mills I think has been misunderstood. I am just as much for the elimination of fining mills as he is and as are the rest of the motorists in the state of Pennsylvania.

I want to call attention to the fact that in this bill the fining mills will still be able to keep the same amount of money that they now do under present law.

Mr. BOWMAN. I merely want to state, and I am out of order but I feel impelled to state, that the Committee worked harmoniously. I personally do not feel that any particular Member monopolized the Committee. I think it did a good job, and I personally want to compliment all the other Members of the Committee.

Mr. HELM. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER pro tempore. Seconded by the gentleman from Cameron, Mr. Tompkins, and the gentleman from Dauphin, Mr. Hocker.

Mr. McCANN. Mr. Speaker, they do not need to do that. The total is 104 at this point. It was 105. Now we know what we have to do, and they do not have to verify any roll call. We are going to eat.

The SPEAKER pro tempore. Will the gentleman insist upon a verification?

Mr. HELM. Mr. Speaker, I have no assurance that the roll call is as the gentleman stated, but with the approval of the two Members who seconded the request for a verification, I withdraw the request.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—96

Anderson,	Galley,	Machmer,	Riley,
Arlene,	Gallagher,	Maxwell,	Rudisill,
Balthaser,	Garlock,	Meholchick,	Sakulsky,
Boles,	Goldstein,	Mihm,	Scarcelli,
Branca,	Hamilton,	Miller, B. Z.,	Schaaf,
Breth,	Holt,	Mills,	Schuster,
Burns,	Irlis,	Monroe,	Schwartz,
Capano,	Jim,	Muldowney,	Sherman,
Capitolo,	Jones, F. R.,	Munley,	Shupnik,

Cianfrani,  
Cioffi,  
Clarke  
Comer,  
Crossin,  
Dennis,  
Dennison,  
Devlin,  
Eshleman,  
Filo,  
Fineman,  
Floyd,  
Foerster,  
Frank,  
Frascella,

Kamyk,  
Kee,  
Kornick,  
Kovolenko,  
Lamb,  
Lee, A. M.,  
Leonard,  
Limper,  
Lopresti,  
Luigard,  
Lutty,  
McCormack,  
McDonald,  
McKeever,  
McLaughlin,

Murphy, A. J., Jr.  
Murray, J. J.,  
Musto,  
Needham,  
Nelson,  
O'Donnell, J. A.,  
O'Donnell, J. P.  
Parlante,  
Pashley,  
Perry, H. H.,  
Perry, P. E.,  
Polaski,  
Polen,  
Prendergast,  
Reibman,  
Silverman,  
Snider,  
Stank,  
Stewart,  
Stone,  
Taylor,  
Trusio,  
Varallo,  
Verona,  
Walsh,  
Wargo,  
Welsh,  
Williams, E. S.,  
Yatron,  
Yetter,

#### NAYS—87

Agnew,  
Ashton,  
Barton,  
Bell,  
Bonner,  
Boris,  
Bower,  
Bowman,  
Brenninger,  
Buchanan,  
Curwood,  
Davis,  
Dengler,  
Donahue,  
Donaldson,  
Dougherty,  
Edwards,  
Ellberg,  
Eshback,  
Ewing,  
Fetterolf,  
Flynn,

Fox,  
Fulmer,  
Gelfand,  
Goodrich,  
Guthrie,  
Heffner,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Horst,  
Isaacs,  
Johnson, A. W.,  
Johnson, R.,  
Jones, T. H. W.,  
Jump,  
Keiser,  
Kernaghan,  
Kessler,  
Kooker,  
Korns,  
Kubitsky,  
Lee, K. B.,  
Light,  
Lippincott,  
McCandless,  
McCann,  
McInroy,  
Mahan,  
Markley,  
Merry,  
Miller, H. G.,  
Mullen,  
Murphy, P. J.,  
Murray, H. P.,  
Naugle,  
Ogilvie,  
O'Neill,  
Price,  
Pursley,  
Renwick,  
Rovasek,  
Royer,  
Seltzer,

Snare,  
Steckel,  
Stevens,  
Stimmel,  
Stoner,  
Strausser,  
Stroup,  
Tompkins,  
Varner,  
Wall,  
Weidner,  
Wescott,  
Whittaker,  
Williams, A. D., Jr.,  
Willard,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Zimmerman,

#### NOT VOTING—26

Auker,  
Blair,  
Brown,  
Cooper,  
Down,  
George,  
Farabaugh,

Gibb,  
Gramlich,  
Haudenschild,  
Heavey,  
Jenkins,  
Knecht,  
Magee,

Moran,  
Murray, P. G.,  
O'Dell,  
Odorisio,  
Petrosky,  
Reidenbach,  
Rigby,

Sullivan,  
Thompson,  
Ujober,  
Wheeler,  
Andrews,  
Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### PERMISSION TO ADDRESS HOUSE

Mr. CURWOOD asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not want to keep you people very long, but I have a very, very important and a very, very brief announcement.

After reading the paper last night, the Evening News, and the morning Patriot this morning, about this fishing situation, it really deplores me.

As Chairman of the Fish Committee, I thought it was kind of knocking us fellows on the Fish Committee, but we have been doing our best, and my Committee has been arguing about it pro and con all through the session.

I am under the impression we are down 90,000 licenses this year already, which is out of reason in my estimation. So I feel the sportsmen should have an opportunity, especially those who are fishermen, to speak their piece. I feel the Fish Commission should have an opportunity to give us ideas on the situation, and I feel the public Press should be allowed to be in on the thing too. So this afternoon I will introduce a resolution for a series of public hearings to be held, and a report to be made to this Session of the General Assembly.



## PERMISSION TO ADDRESS HOUSE

Mr. BRETH asked and obtained unanimous consent to address the House.

I am very much interested in the remarks of the gentleman from Luzerne, Mr. Curwood, and in the fact that he intends to introduce a resolution, which I have co-sponsored, to hold open public hearings on the matter concerning the decline of fishing license sales in Pennsylvania in the past few years.

I believe this a very important matter affecting a very tremendous recreational and natural resource. I think this House should take steps to inquire into the situation, and make completely public all the facts and information that can be obtained from fishermen, the public and the citizens of Pennsylvania, and to hold these public hearings which will be proposed in the resolution.

Mr. McCANN. Mr. Speaker, I ask that we take a 45 minute break in the proceedings. We will reconvene at 2:15 on the dot, and start right where we left off.

The SPEAKER pro tempore. The Chair, before declaring a recess, would suggest that the Members come back immediately at the expiration of the recess time. The sooner we get back and get started, the sooner we will be able to adjourn for the day. We would like to get started immediately with roll calls as soon as the recess is over.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of forty-five minutes.

The Chair hears none.

## AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR.

## BILLS ON CONCURRENCE IN SENATE AMENDMENTS

Mr. McCann asked and obtained unanimous consent to call up out of order House Bill No. 605 on page 33 of today's calendar, bills on concurrence in Senate amendments.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 605.

An Act authorizing the Department of Property and Supplies to convey a certain parcel of land situate in Bear Creek Township Luzerne County Pennsylvania in exchange for another parcel of land situate in Bear Creek Township County of Luzerne.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 18, by striking out after the word "page" the numbers "475" and inserting in lieu thereof the numbers "475."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEARS—189

Agnew,	Galley,	McCormack,	Sakulsky,
Anderson,	Gallagher,	McDonald,	Searcelli,
Arlene,	Garlock,	McInroy,	Schaaf,
Ashton,	Gelfand,	McKeever,	Schuster,
Balthaser,	Gibb,	McLaughlin,	Schwartz,
Barton,	Goldstein,	Machmer,	Seltzer,
Bell,	Goodrich,	Mahan,	Sherman,
Boles,	Guthrie,	Markley,	Shupnik,
Bonner,	Hamilton,	Maxwell,	Silverman,
Breth,	Heffner,	Meholchick,	Snare,
Bower,	Helm,	Merry,	Snider,
Bowman,	Henzel,	Mihm,	Stank,
Branca,	Hocker,	Miller, B. Z.,	Steckel,
Brenninger,	Holliday,	Miller, H. G.,	Stevens,
Burns,	Holt,	Mills,	Stewart,
Capano,	Horst,	Monroe,	Stimmel,
Capitolo,	Irvis,	Muldowney,	Stone,
Cianfrani,	Isaacs,	Mullen,	Stoner,
Cioffi,	Jenkins,	Munley,	Strausser,
Clarke,	Jim,	Murphy, A. J., Jr.,	Stroup,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Crossin,	Johnson, R.,	Murray, H. P.	Tompkins,
Curwood,	Jones, F. R.,	Murray, J. J.,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Varallo,
Dengler,	Jump,	Naugle,	Varner,
Dennis,	Kamyk,	Needham,	Verona,
Dennison,	Kee,	Nelson,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weldner,
Dougherty,	Knecht,	O'Neil,	Welsh,
Edwards,	Kooker,	Parlante,	Wescott,
Ellberg,	Kornick,	Pashley,	Wheeler,
Eshback,	Korns,	Perry, H. H.,	Whittaker,
Eshleman,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Petrosky,	Williams, E. S.,
Fetterolf,	Lamb,	Polaski,	Willard,
Filo,	Lee, A. M.,	Polen,	Willaredt,
Fineman,	Lee, K. B.,	Prendergast,	Wilt,
Floyd,	Leonard,	Price,	Wood,
Flynn,	Light,	Pursley,	Worley,
Foerster,	Limper,	Reibman,	Wynd,
Fox,	Lippincott,	Renwick,	Yatron,
Frank,	Lopresti,	Riley,	Yetter,
Frascella,	Luigard,	Rovansek,	Zimmerman,
Fulmer,	Lutty,	Royer,	Andrews,
	McCandless,	Rudisill,	Speaker
	McCann,		

### NAYS—0

### NOT VOTING—20

Auker,	Farabaugh,	Magee,	Reidenbach,
Blair,	George,	Moran,	Rigby,
Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Ccooper,	Haudenshield,	O'Dell,	Thompson,
Down,	Heavey,	Odorisio,	Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 892 on page 34 of today's calendar, bills on concurrence in Senate amendments.



## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 892.

An Act amending the act of July 10, 1935 (P. L. 645), entitled "An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare," regulating the availability of doctors at all hospitals.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 10, by striking out after the word "on" the word "immediate"; page 1, line 13, by inserting after the word "hospital" where it appears the second time the following:

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew,	Galley,	McCormack,	Sakulsky,
Anderson,	Gallagher,	McDonald,	Scarcelli,
Arlene,	Garlock,	McInroy,	Schaaf,
Ashton,	Gelfand,	McKeever,	Schuster,
Balthaser,	Gibb,	McLaughlin,	Schwartz,
Barton,	Goldstein,	Machmer,	Seltzer,
Bell,	Goodrich,	Mahan,	Sherman,
Boles,	Guthrie,	Markley,	Shupnik,
Bonner,	Hamilton,	Maxwell,	Silverman,
Boris,	Heffner,	Meholchick,	Snare,
Bower,	Helm,	Merry,	Snider,
Bowman,	Henzel,	Mihm,	Stank,
Branca,	Hocker,	Miller, B. Z.,	Steckel,
Brenninger,	Holliday,	Miller, H. G.,	Stevens,
Breth,	Holt,	Mills,	Stewart,
Buchanan,	Horst,	Monroe,	Stimmel,
Burns,	Irviss,	Muldowney,	Stone,
Capano,	Isaacs,	Mullen,	Stoner,
Capitolo,	Jenkins,	Munley,	Strausser,
Cianfrani,	Jim,	Murphy, A. J., Jr.	Stroup,
Cioffi,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Clarke,	Johnson, R.,	Murray, H. P.,	Tompkins,
Comer,	Jones, F. R.,	Murray, J. J.,	Trusio,
Crossin,	Jones, T. H. W.,	Musto,	Varallo,
Curwood,	Jump,	Naugle,	Varnier,
Davis,	Kamyk,	Needham,	Verona,
Dengler,	Kee,	Nelson,	Wall,
Dennis,	Keiser,	O'Donnell, J. A.,	Walsh,
Dennison,	Kernaghan,	O'Donnell, J. P.	Wargo,
Devlin,	Kessler,	Ogilvie,	Weidner,
Donahue,	Knecht,	O'Neil,	Welsh,
Donaldson,	Kooker,	Parlante,	Wescott,
Dougherty,	Kornick,	Pashley,	Wheeler,
Edwards,	Korns,	Perry, H. H.,	Whittaker,
Ellberg,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kubitsky,	Petrofsky,	Williams, E. S.,
Eshleman,	Lamb,	Polaski,	Willard,
Ewing,	Lee, A. M.,	Polen,	Willaredt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wilt,
Filo,	Leonard,	Price,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lippincott,	Renwick,	Yatron,
Foerster,	Lopresti,	Riley,	Yetter,

Fox,  
Frank,  
Frascella,  
Fulmer,

Luigard,  
Lutty,  
McCandless,  
McCann,

Rovansek,  
Royer,  
Rudisill,

Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—20

Auker,  
Blair,  
Brown,  
Cooper,  
Down,

Farabaugh,  
George,  
Gramlich,  
Haudenshield,  
Heavy,

Magee,  
Moran,  
Murray, P. G.,  
O'Dell,  
Odorisio,

Reidenbach,  
Rigby,  
Sullivan,  
Thompson,  
Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1453 on page 34 of today's calendar, bills on concurrence in Senate amendments.

## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1453.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto," further regulating contract procedures.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 8, by striking out after the word "hundred" the words "five hundred" and inserting in lieu thereof the words "three hundred"; line 17, by striking out after the second word "hundred" the words "five hundred" and inserting in lieu thereof the words "three hundred."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew,	Galley,	McCormack,	Sakulsky,
Anderson,	Gallagher,	McDonald,	Scarcelli,
Arlene,	Garlock,	McInroy,	Schaaf,
Ashton,	Gelfand,	McKeever,	Schuster,
Balthaser,	Gibb,	McLaughlin,	Schwartz,
Barton,	Goldstein,	Machmer,	Seltzer,
Bell,	Goodrich,	Mahan,	Sherman,
Boles,	Guthrie,	Markley,	Shupnik,
Bonner,	Hamilton,	Maxwell,	Silverman,
Boris,	Heffner,	Meholchick,	Snare,
Bower,	Helm,	Merry,	Snider,
Bowman,	Henzel,	Mihm,	Stank,
Branca,	Hocker,	Miller, B. Z.,	Steckel,
Brenninger,	Holliday,	Miller, H. G.,	Stevens,
Breth,	Holt,	Mills,	Stewart,
Buchanan,	Horst,	Monroe,	Stimmel,
Burns,	Irviss,	Muldowney,	Stone,



Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovanseck, Royer, Rudisill,	Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Auker, Blair, Brown, Cooper, Down,	Farabaugh, George, Gramlich, Heavey, Haudenshield,	Magee, Moran, Murray, P. G., O'Dell, Odorisio,	Reidenbach, Rigby, Sullivan, Thompson, Ujobai,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1684 on page 35 of today's calendar, bills on concurrence in Senate amendments.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1684.

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," by imposing a charge of five dollars (\$5.00) for each item of issue covered by each uncollectible check.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 5, by inserting after the word "secretary" the words "or local government"; line 9, by inserting after the word "department" the words "or local government."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew, Anderson, Arlene, Ashton, Balthaser, Barton, Bell, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Gailey, Gallagher, Garlock, Gelfand, Gibb, Goldstein, Goodrich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hooker, Holliday, Holt, Horst, Iris, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovanseck, Royer, Rudisill,	Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Auker, Blair, Brown, Cooper, Down,	Farabaugh, George, Gramlich, Haudenshield, Heavey,	Magee, Moran, Murray, P. G., O'Dell, Odorisio,	Reidenbach, Rigby, Sullivan, Thompson, Ujobai,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1689 on page 36 of today's calendar, bills on concurrence in Senate amendments.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill



from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1689.

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," by requiring operators to obey traffic signals and signs and eliminating reference to "through traffic."

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, subsection (g) page 2, line 13, by striking out where it first appears the word "stop" and inserting in lieu thereof the word "stop".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—189

Agnew,	Galley,	McCormack,	Sakulsky,
Anderson,	Gallagher,	McDonald,	Scarcelli,
Arlene,	Garlock,	McInroy,	Schaaf,
Ashton,	Gelfand,	McKeever,	Schuster,
Balthaser,	Gibb,	McLaughlin,	Schwartz,
Barton,	Goldstein,	Machmer,	Seltzer,
Bell,	Goodrich,	Mahan,	Sherman,
Boles,	Guthrie,	Markley,	Shupnik,
Bonner,	Hamilton,	Maxwell,	Silverman,
Boris,	Heffner,	Meholchick,	Snare,
Bower,	Helm,	Merry,	Snider,
Bowman,	Henzel,	Mihm,	Stank,
Branca,	Hocker,	Miller, B. Z.,	Steckel,
Brenninger,	Holliday,	Miller, H. G.,	Stevens,
Breth,	Holt,	Mills,	Stewart,
Buchanan,	Horst,	Monroe,	Stimmel,
Burns,	Irvis,	Muldowney,	Stone,
Capano,	Isaacs,	Mullen,	Stoner,
Capitolo,	Jenkins,	Munley,	Strausser,
Cianfrani,	Jim,	Murphy, A. J., Jr.	Stroup,
Cioffi,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Clarke,	Johnson, R.,	Murray, H. P.,	Tompkins,
Comer,	Jones, F. R.,	Murray, J. J.,	Trusio,
Crossin,	Jones, T. H. W.,	Musto,	Varallo,
Curwood,	Jump,	Naugle,	Varnier,
Davis,	Kamyk,	Needham,	Verona,
Dengler,	Kee,	Nelson,	Wall,
Dennis,	Kelser,	O'Donnell, J. A.,	Walsh,
Dennison,	Kernaghan,	O'Donnell, J. P.	Wargo,
Devlin,	Kessler,	Ogilvie,	Weidner,
Donahue,	Knecht,	O'Neill,	Welsh,
Donaldson,	Kooker,	Parlante,	Wescott,
Dougherty,	Kornick,	Pashley,	Wheeler,
Edwards,	Korns,	Perry, H. H.,	Whittaker,
Eilberg,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kubitsky,	Petrosky,	Williams, E. S.,
Eshleman,	Lamb,	Polaski,	Willard,
Ewing,	Lee, A. M.,	Polen,	Willaredt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wilt,
Filo,	Leonard,	Price,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lippincott,	Renwick,	Yatron,
Foerster,	Lopresti,	Riley,	Yetter,
Fox,	Lugard,	Rovansek,	Zimmerman,
Frank,	Lutty,	Royer,	Andrews,
Frascella,	McCandless,	Rudisill,	Speaker
Fulmer,	McCann,		

#### NAYS—0

#### NOT VOTING—20

Auker,	Farabaugh,	Magee,	Reidenbach,
Blair,	George,	Moran,	Rigby,
Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Cooper,	Haudensheld,	O'Dell,	Thompson,
Down,	Heavey,	Odoriso,	Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1690.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and the acts relating to the ownership possession and use of vehicles and tractors" by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains and providing an exception for public utility vehicles under certain circumstances.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 3 by striking out after the word "on" the word "Highways" and inserting in lieu thereof the word "Highway"; page 3, line 5, by striking out after the word "such" where it first appears the word "a".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—189

Agnew,	Galley,	McCormack,	Sakulsky,
Anderson,	Gallagher,	McDonald,	Scarcelli,
Arlene,	Garlock,	McInroy,	Schaaf,
Ashton,	Gelfand,	McKeever,	Schuster,
Balthaser,	Gibb,	McLaughlin,	Schwartz,
Barton,	Goldstein,	Machmer,	Seltzer,
Bell,	Goodrich,	Mahan,	Sherman,
Boles,	Guthrie,	Markley,	Shupnik,
Bonner,	Hamilton,	Maxwell,	Silverman,
Boris,	Heffner,	Meholchick,	Snare,
Bower,	Helm,	Merry,	Snider,
Bowman,	Henzel,	Mihm,	Stank,
Branca,	Hocker,	Miller, B. Z.,	Steckel,
Brenninger,	Holliday,	Miller, H. G.,	Stevens,
Breth,	Holt,	Mills,	Stewart,
Buchanan,	Horst,	Monroe,	Stimmel,
Burns,	Irvis,	Muldowney,	Stone,
Capano,	Isaacs,	Mullen,	Stoner,
Capitolo,	Jenkins,	Munley,	Strausser,
Cianfrani,	Jim,	Murphy, A. J., Jr.	Stroup,
Cioffi,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Clarke,	Johnson, R.,	Murray, H. P.,	Tompkins,
Comer,	Jones, F. R.,	Murray, J. J.,	Trusio,
Crossin,	Jones, T. H. W.,	Musto,	Varallo,



Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovanseck, Royer, Rudisill,	Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willardt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Auker, Blair, Brown, Cooper, Down,	Farabaugh, George, Gramlich, Haudenschild, Heavy,	Magee, Moran, Murray, P. G., O'Dell, Odorisio,	Reidenbach, Rigby, Sullivan, Thompson, Ujobai,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1809.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Highways the Secretary of Public Welfare and the Governor to grant easements over certain lands situate in the Borough of Emsworth County of Allegheny

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, subsection (a), page 2, line 8, by inserting after the word "Highway" the following: "Route 652 Traffic"; page 2, line 10 by inserting after the word "Highway" the following: "Route"; and at the beginning of line 11 the numbers "652" and the word "Traffic"; page 2, line 14, by inserting after the word "Highway" the following: "Route 652 Traffic"; page 3, line 1, by inserting after the word "Highway" the following: "Route 652 Traffic"; Section 1, subsection (b), by inserting after the word "Highway" on line 14, at the beginning of line 15, the following: "Route 652 Traffic"; page 4, line 3, by inserting after the word "Highway" the following: "Route 652 Traffic".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew, Anderson, Arlene, Ashton, Balthaser, Barton, Bell, Boies, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Galley, Gallagher, Garlock, Gelfand, Gibb, Goldstein, Goodrich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Iris, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mihm, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naudie, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovanseck, Royer,	Rudisill, Sakulsky, Scarcell, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strauser, Stroup, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willardt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Auker, Blair, Brown, Cooper, Down,	Farabaugh, George, Gramlich, Haudenschild, Heavy,	Magee, Moran, Murray, P. G., O'Dell, Odorisio,	Reidenbach, Rigby, Sullivan, Thompson, Ujobai,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1878.

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" providing a method of paying service incre-

ments from the pension fund to employes of the city after retirement.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Bill, page 4, line 18, by adding Section 3, as follows: "Section 3 This act shall take effect immediately".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew,	Galley,	McCann,	Rudisill,
Anderson,	Gallagher,	McCormack,	Sakulsky,
Arlene,	Garlock,	McDonald,	Scarcelli,
Ashton,	Gelfand,	McInroy,	Schaaf,
Balthaser,	Gibb,	McKeever,	Schuster,
Barton,	Goldstein,	McLaughlin,	Schwartz,
Bell,	Goodrich,	Machmer,	Seltzer,
Boies,	Guthrie,	Mahan,	Sherman,
Bonner,	Hamilton,	Markley,	Shupnik,
Boris,	Heffner,	Maxwell,	Silverman,
Bower,	Helm,	Meholchick,	Snare,
Bowman,	Henzel,	Merry,	Snider,
Branca,	Hocker,	Mihm,	Stank,
Brenninger,	Holliday,	Miller, B. Z.,	Steckel,
Breth,	Holt,	Miller, H. G.,	Stevens,
Buchanan,	Horst,	Mills,	Stewart,
Burns,	Irlis,	Monroe,	Stimmel,
Capano,	Isaacs,	Muldowney,	Stone,
Capitolo,	Jenkins,	Mullen,	Stoner,
Cianfrani,	Jim,	Munley,	Strausser,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Johnson, R.,	Murphy, P. J.,	Taylor,
Comer,	Jones, F. R.,	Murray, H. P.,	Tompkins,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Curwood,	Jump,	Musto,	Varallo,
Davis,	Kamyk,	Naugle,	Varnier,
Dengler,	Kee,	Needham,	Verona,
Dennis,	Keiser,	Nelson,	Wall,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Devlin,	Kessler,	O'Donnell, J. P.,	Wargo,
Donahue,	Knecht,	Ogilvie,	Weidner,
Donaldson,	Kooker,	O'Neil,	Welsh,
Dougherty,	Kornick,	Parlante,	Wescott,
Edwards,	Korns,	Pashley,	Wheeler,
Ellberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Petrosky,	Williams, E. S.,
Ewing,	Lee, A. M.,	Polaski,	Willard,
Fetterolf,	Lee, K. B.,	Polen,	Willaredt,
Filo,	Leonard,	Prendergast,	Wilt,
Fineman,	Light,	Price,	Wood,
Floyd,	Limper,	Pursley,	Worley,
Flynn,	Lippincott,	Reibman,	Wynd,
Foerster,	Lopresti,	Renwick,	Yatron,
Fox,	Luigard,	Riley,	Yetter,
Frank,	Lutty,	Rovasek,	Zimmerman,
Frascella,	McCandless,	Royer,	Andrews,
Fulmer,			Speaker

## NAYS—0

## NOT VOTING—20

Auker,	Farabaugh,	Magee,	Reidenbach,
Blair,	George,	Moran,	Rigby,
Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Cooper,	Haudensfield,	O'Dell,	Thompson,
Down,	Heavey,	Odorisio,	Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 90 on page 33 of today's calendar, bills on concurrence in Senate amendments.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 90.

An Act permitting the completion of baseball games in cities of the first, second, second class A or third class and townships of the first class notwithstanding provisions to the contrary.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the word "first" the word "or"; page 1, line 2, of title, by inserting after the word "second" the following: "second class A or third"; page 1, line 2 of title by inserting after the word "class" the following: "and townships of the first class"; Section 1, page 1, line 1, by striking out after the word "first" the word "or"; line 1, by inserting after the word "second" the following: "second class A or third"; and line 2 by inserting after the word "class" the following: "or township of the first class"; page 2, line 9, by striking out after the word "of" the word "six" and inserting in lieu thereof the word "five."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, when House Bill No. 90 passed the House of Representatives and was sent to the Senate it had a time of 6 p.m. as to the starting of baseball games on Sunday.

The Senate amendments change the starting of the second game at 5 p.m. This is the same amendment that Rev. McInroy, the gentleman from Tioga, I believe offered, which was defeated in the House. In a conference in the Senate this is the only position in which we can secure this bill. But the additional information placed in the bill takes care of our other major ball leagues, such as the Eastern League in Pennsylvania, that would be Scranton, York, Williamsport, the various towns in that league.

This means in double-header baseball games on Sunday the second game can begin providing it begins by 5 p.m. or rather 6 p.m. daylight saving time. That is one hour different than when the bill left the House. The other section was added to take care of the other league.

Mr. Speaker, I ask that everyone support these amendments because it certainly will be helpful to all those ball leagues to complete their games on Sunday. As I repeated a moment ago this is the best situation that could be worked out on the starting hour of the second game, so we will accept this at this time.

Mr. McINROY. Mr. Speaker, the Majority Floor Leader referred to the two amendments that I proposed in regard to the starting time of five o'clock and I am heartily in favor of that.



However, I do not like the change of the extension to Second-Class A and Third Class and now to the First Class. Therefore, I am going to vote against the amendments, not because of the change in time but because of the inclusion or extension of these other classes.

Mr. McCORMACK. May I interrogate the gentleman from Tioga?

The SPEAKER pro tempore. Will the gentleman from Tioga, Mr. McInroy, consent to be interrogated?

Mr. McINROY. I shall, Mr. Speaker.

Mr. McCORMACK. Would the gentleman vote for the bill if we restored it to just cities of the First Class?

Mr. McINROY. Yes, I would, Mr. Speaker.

Mr. McCORMACK. Well, Mr. Speaker, if there is any disagreement with respect to the addition of the cities and townships in this amended version, perhaps we could amend it again.

Mr. McCANN. Mr. Speaker, could I have a short conference with the gentleman?

Mr. McCORMACK. As long as it is going to pass I am satisfied.

The SPEAKER pro tempore. The House will be at ease temporarily while the two gentlemen have a meeting of their minds.

Mr. McCANN. Mr. Speaker, I believe everyone is in accord with this because the Eastern League has to have this as well as the Major Leagues.

Mr. TOMPKINS. Mr. Speaker, I would like to have a slow roll call in order that we can get a record of those who have returned to this Hall this afternoon. This morning we got some variations in our total roll call and I would like to know who we now have present.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—172

Anderson,	Gallagher,	McCormack,	Royer,
Arlene,	Gelfand,	McDonald,	Rudisill,
Balthaser,	Goldstein,	McKeever,	Sakulsky,
Barton,	Goodrich,	McLaughlin,	Scarcelli,
Bell,	Hamilton,	Machmer,	Schaaf,
Boles,	Heffner,	Mahan,	Schuster,
Bonner,	Heim,	Markley,	Schwartz,
Boris,	Henzel,	Maxwell,	Seltzer,
Bowman,	Hocker,	Meholchick,	Sherman,
Branca,	Holliday,	Merry,	Shupnik,
Brenninger,	Holt,	Mihm,	Silverman,
Breth,	Horst,	Miller, B. Z.,	Snare,
Burns,	Irvins,	Mills,	Snider,
Capano,	Isaacs,	Monroe,	Stank,
Capitolo,	Jenkins,	Muldowney,	Steckel,
Cianfrani,	Jim,	Mullen,	Stevens,
Cioffi,	Johnson, A. W.,	Munley,	Stewart,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.	Stimmel,
Comer,	Jones, F. R.,	Murphy, P. J.,	Stone,
Crossin,	Jones, T. H. W.,	Murray, H. P.,	Stoner,
Curwood,	Jump,	Murray, J. J.,	Taylor,
Dengler,	Kamyk,	Musto,	Tompkins,
Dennis,	Kee,	Naugle,	Trusio,
Devlin,	Keiser,	Needham,	Varallo,
Donahue,	Kernaghan,	Nelson,	Varner,
Donaldson,	Kessler,	O'Donnell, J. A.,	Verona,
Dougherty,	Knecht,	O'Donnell, J. P.	Walsh,
Edwards,	Kornick,	Ogilvie,	Wargo,
Ellberg,	Korns,	O'Neill,	Weidner,
Eshback,	Kovolenko,	Parlante,	Welsh,
Eshleman,	Kubitsky,	Pashley,	Wescott,
Ewing,	Lamb,	Perry, H. H.,	Wheeler,
Fetterolf,	Lee, A. M.,	Perry, P. E.,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Petrosky,	Williams, E. S.,
Fineman,	Leonard,	Polaski,	Willaredt,
Floyd,	Light,	Polen,	Wilt,

Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,  
Galley,

Limper,  
Lippincott,  
Lopresti,  
Lulgard,  
Lutty,  
McCandless,  
McCann,

Prendergast,  
Price,  
Pursley,  
Reibman,  
Renwick,  
Riley,  
Rovanssek,

Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—12

Bower,  
Buchanan,  
Davis,

Garlock,  
Gramlich,  
Kooker,

McInroy,  
Miller, H. G.,  
Strausser,

Stroup,  
Wall,  
Whittaker,

## NOT VOTING—25

Agnew,  
Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,  
Dennison,

Down,  
Farabaugh,  
George,  
Gibb,  
Guthrie,  
Haudenshield,

Heavey,  
Magee,  
Moran,  
Murray, P. G.,  
O'Dell,  
Odorisio,

Reidenbach,  
Rigby,  
Sullivan,  
Thompson,  
Ujobal,  
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

CONFERENCE COMMITTEE ON HOUSE BILL No. 260  
DISCHARGED

Mr. McCANN. Mr. Speaker, I move that the conference committee appointed on the part of the House be discharged from further consideration of House Bill No. 260, Printer's No. 849.

The motion was agreed to.

## HOUSE RECEDES FROM NONCONCURRENCE

Mr. McCANN. Mr. Speaker, I move that the House recede from its non-concurrence and concur in the amendments made by the Senate and that the House concur in the amendments to House Bill No. 260.

On the question,

Will the House recede from its non-concurrence and concur in the amendments made by the Senate?

Mr. McCANN. This is on House Bill 260, Mr. Speaker. For the information of the Members we had nonconcurred in the amendments placed in the bill, House Bill 260, and the only question involved was the last lines of the House bill dealing with when the legislative Budget Finance Committee would be activated.

In a conference committee of the Members of the House and Senate it was agreed that upon the sine die adjournment this committee would be activated and would not require the activation after each Session. It would then be permanent from there on unless repealed by law.

Mr. Speaker, I ask that everyone support the amendments.

On the question recurring,

Will the House recede from its non-concurrence and concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew,  
Anderson,  
Arlene,  
Ashton,  
Balthaser,  
Barton,  
Bell,

Galley,  
Gallagher,  
Garlock,  
Gelfand,  
Gibb,  
Goldstein,  
Goodrich,

McCann,  
McCormack,  
McDonald,  
McInroy,  
McKeever,  
McLaughlin,  
Machmer,

Rudisill,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Schwartz,  
Seltzer,

Boles,	Guthrie,	Mahan,	Sherman,
Bonner,	Hamilton,	Markley,	Shupnik,
Boris,	Heffner,	Maxwell,	Silverman,
Bower,	Helm,	Meholchick,	Snare,
Bowman,	Henzel,	Merry,	Snider,
Branca,	Hocker,	Mihm,	Stank,
Brenninger,	Holliday,	Miller, B. Z.,	Steckel,
Breth,	Holt,	Miller, H. G.,	Stevens,
Buchanan,	Horst,	Mills,	Stewart,
Burns,	Irvls,	Monroe,	Stimmel,
Capano,	Isaacs,	Muldowney,	Stone,
Capitolo,	Jenkins,	Mullen,	Stoner,
Cianfrani,	Jim,	Munley,	Strausser,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Johnson, R.,	Murphy, P. J.,	Taylor,
Comer,	Jones, F. R.,	Murray, H. P.	Tompkins,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Curwood,	Jump,	Musto,	Varallo,
Davis,	Kamyk,	Naugle,	Varner,
Dengler,	Kee,	Needham,	Verona,
Dennis,	Kelser,	Nelson,	Wall,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Devlin,	Kessler,	O'Donnell, J. P.,	Wargo,
Donahue,	Knecht,	Ogilvie,	Weidner,
Donaldson,	Kooker,	O'Neil,	Welsh,
Dougherty,	Kornick,	Parlante,	Wescott,
Edwards,	Korns,	Pashley,	Wheeler,
Elberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Petrosky,	Williams, E. S.,
Ewing,	Lee, A. M.,	Poiaski,	Willard,
Fetterolf,	Lee, K. B.,	Polen,	Willaredt,
Filo,	Leonard,	Prendergast,	Wilt,
Fineman,	Light,	Price,	Wood,
Floyd,	Limper,	Pursley,	Worley,
Flynn,	Lippincott,	Reibman,	Wynd,
Foerster,	Lopresti,	Renwick,	Yatron,
Fox,	Luigard,	Riley,	Yetter,
Frank,	Lutty,	Rovasek,	Zimmerman,
Frascella,	McCandless,	Royer,	Andrews,
Fulmer,			Speaker

## NAYS—0

## NOT VOTING—20

Auker,	Farabaugh,	Magee,	Reidenbach,
Blair,	George,	Moran,	Rigby,
Brown,	Gramlich,	Murray, P. G.,	Sullivan,
Cooper,	Haudenshield,	O'Dell,	Thompson,
Down,	Heavey,	Odorisio,	Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1213 on page 11 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1213, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Anderson,	Garlock,	McDonald,	Sakulsky,
Arlene,	Gelfand,	McInroy,	Scarcelli,
Balthaser,	Goldstein,	McKeever,	Schaaft,
Barton,	Goodrich,	McLaughlin,	Schuster,
Bell,	Gramlich,	Machmer,	Schwartz,
Boles,	Hamilton,	Mahan,	Seltzer,

Bonner,	Heffner,	Markley,	Sherman,
Boris,	Helm,	Maxwell,	Shupnik,
Bower,	Henzel,	Meholchick,	Silverman,
Bowman,	Hocker,	Merry,	Snare,
Branca,	Holliday,	Mihm,	Snider,
Brenninger,	Holt,	Miller, B. Z.,	Stank,
Breth,	Horst,	Miller, H. G.,	Steckel,
Buchanan,	Irvls,	Mills,	Stevens,
Burns,	Isaacs,	Monroe,	Stewart,
Capano,	Jenkins,	Muldowney,	Stimmel,
Capitolo,	Jim,	Mullen,	Stone,
Cianfrani,	Johnson, A. W.,	Munley,	Stoner,
Cioffi,	Johnson, R.,	Murphy, A. J., Jr.,	Strausser,
Clarke,	Jones, F. R.,	Murphy, P. J.,	Stroup,
Comer,	Jones, T. H. W.,	Murray, H. P.,	Taylor,
Crossin,	Jump,	Murray, J. J.,	Tompkins,
Curwood,	Kamyk,	Musto,	Trusio,
Davis,	Kee,	Naugle,	Varallo,
Dengler,	Kelser,	Needham,	Varner,
Dennis,	Kernaghan,	Nelson,	Verona,
Devlin,	Kessler,	O'Donnell, J. A.,	Wall,
Donahue,	Knecht,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kooker,	Ogilvie,	Wargo,
Dougherty,	Kornick,	O'Neil,	Weidner,
Edwards,	Korns,	Parlante,	Welsh,
Elberg,	Kovolenko,	Pashley,	Wescott,
Eshback,	Kubitsky,	Perry, H. H.,	Wheeler,
Eshleman,	Lamb,	Perry, P. E.,	Whittaker,
Ewing,	Lee, A. M.,	Petrosky,	Williams, A. D., Jr.,
Fetterolf,	Lee, K. B.,	Polaski,	Williams, E. S.,
Filo,	Leonard,	Polen,	Willaredt,
Fineman,	Light,	Prendergast,	Wilt,
Floyd,	Limper,	Price,	Wood,
Flynn,	Lippincott,	Pursley,	Worley,
Foerster,	Lopresti,	Reibman,	Wynd,
Fox,	Luigard,	Renwick,	Yatron,
Frank,	Lutty,	Riley,	Yetter,
Frascella,	McCandless,	Rovasek,	Zimmerman,
Fulmer,	McCann,	Royer,	Andrews,
	McCormack,	Rudisill,	Speaker
	Gallagher,		

## NAYS—0

## NOT VOTING—25

Agnew,	Down,	Heavey,	Reidenbach,
Ashton,	Farabaugh,	Magee,	Rigby,
Auker,	George,	Moran,	Sullivan,
Blair,	Gibb,	Murray, P. G.,	Thompson,
Brown,	Guthrie,	O'Dell,	Ujobai,
Cooper,	Haudenshield,	Odorisio,	Willard,
Dennison,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1379 on page 1113 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1379, entitled:

An Act providing for the assignment of counsel to indigent persons accused of crime.

## RECONSIDERATION OF VOTE

Mr. DEVLIN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.



Amend Title, page 1, first line of Title, by inserting after "to" indigent.

Amend Sec. 1, page 1, line 1, by striking out "the" and inserting: an indigent.

Amend Sec. 2, page 2, line 1, by inserting after "any" indigent.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1411, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing counties to acquire for certain purposes by purchase gift exchange or condemnation real property or interests in real property in excess of present needs.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Anderson,	Gallagher,	McDonald,	Scarcelli,
Arlene,	Garlock,	McInroy,	Schaaf,
Balthaser,	Gelfand,	McKeever,	Schuster,
Barton,	Goldstein,	McLaughlin,	Schwartz,
Boles,	Goodrich,	Machmer,	Seltzer,
Bonner,	Gramlich,	Mahan,	Sherman,
Boris,	Hamilton,	Markley,	Shupnik,
Bower,	Heffner,	Maxwell,	Silverman,
Bowman,	Helm,	Meholchick,	Snare,
Branca,	Henzel,	Merry,	Snider,
Brenninger,	Hocker,	Mihm,	Stank,
Breth,	Holliday,	Miller, B. Z.,	Steckel,
Buchanan,	Holt,	Miller, H. G.,	Stevens,
Burns,	Horst,	Mills,	Stewart,
Capano,	Irvis,	Monroe,	Stimmel,
Capitolo,	Jenkins,	Muldowney,	Stone,
Cianfrani,	Jim,	Mullen,	Stoner,
Cioffi,	Johnson, A. W.,	Munley,	Strausser,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.,	Stroup,
Comer,	Jones, F. R.,	Murray, H. P.,	Taylor,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Curwood,	Jump,	Musto,	Trusio,
Davis,	Kamyk,	Naugle,	Varallo,
Dennis,	Kee,	Needham,	Varnier,
Devlin,	Kelser,	Nelson,	Verona,
Donahue,	Kessler,	O'Donnell, J. A.,	Wall,
Donaldson,	Knecht,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kooker,	O'Neil,	Wargo,
Edwards,	Kornick,	Parlante,	Weldner,
Eilberg,	Korns,	Pashley,	Welsh,
Eshback,	Kovolenko,	Perry, H. H.,	Wescott,
Eshleman,	Kubitsky,	Perry, P. E.,	Wheeler,
Ewing,	Lamb,	Petrosky,	Whittaker,
Fetterolf,	Lee, A. M.,	Polaski,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Polen,	Williams, E. S.,
Fineman,	Leonard,	Prendergast,	Willaredt,
Floyd,	Light,	Price,	Wilt,
Flynn,	Limper,	Pursley,	Wood,
Foerster,	Lopresti,	Reibman,	Worley,
Fox,	Luigard,	Renwick,	Wynd,
Frank,	Lutty,	Riley,	Yatron,
Frascella,	McCandless,	Rovansek,	Yetter,
Fulmer,	McCann,	Royer,	Zimmerman,
Galley,	McCormack,	Rudisill,	Andrews,
		Sakulsky,	Speaker

## NAYS—7

Bell,	Isaacs,	Lippincott,	Ogilvie,
Dengler,	Kernaghan,	Murphy, P. J.,	

## NOT VOTING—25

Agnew,	Down,	Heavey,	Reidenbach,
Ashton,	Farabaugh,	Magee,	Rigby,
Auker,	George,	Moran,	Sullivan,
Blair,	Gibb,	Murray, P. G.,	Thompson,
Brown,	Guthrie,	O'Dell,	Ujohai,
Cooper,	Haudenschild,	Odorisio,	Willard,
Dennison,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1460, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095) changing the provisions relating to drainage.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—108

Anderson,	Fox,	McDonald,	Reibman,
Arlene,	Frank,	McKeever,	Renwick,
Balthaser,	Frascella,	McLaughlin,	Riley,
Boies,	Galley,	Machmer,	Rovansek,
Bonner,	Gallagher,	Markley,	Rudisill,
Branca,	Garlock,	Maxwell,	Sakulsky,
Breth,	Gelfand,	Meholchick,	Scarcelli,
Burns,	Goldstein,	Mihm,	Schaaf,
Capano,	Hamilton,	Mills,	Schwartz,
Capitolo,	Holt,	Monroe,	Sherman,
Cianfrani,	Irvis,	Muldowney,	Shupnik,
Cioffi,	Jim,	Mullen,	Silverman,
Clarke,	Jones, F. R.,	Munley,	Snider,
Comer,	Jump,	Murphy, A. J., Jr.,	Stank,
Crossin,	Kamyk,	Musto,	Stevens,
Curwood,	Kornick,	Needham,	Stone,
Dennis,	Kovolenko,	Nelson,	Taylor,
Devlin,	Kubitsky,	O'Donnell, J. A.,	Trusio,
Donaldson,	Lamb,	O'Donnell, J. P.,	Varallo,
Dougherty,	Leonard,	O'Neil,	Verona,
Edwards,	Limper,	Parlante,	Walsh,
Eilberg,	Lopresti,	Pashley,	Wargo,
Filo,	Luigard,	Perry, H. H.,	Williams, A. D., Jr.,
Fineman,	Lutty,	Perry, P. E.,	Worley,
Floyd,	McCandless,	Polaski,	Yatron,
Flynn,	McCann,	Polen,	Yetter,
Foerster,	McCormack,	Prendergast,	Andrews,
			Speaker

## NAYS—66

Barton,	Gramlich,	Lee, K. B.,	Steckel,
Bell,	Heffner,	Light,	Stewart,
Boris,	Henzel,	Lippincott,	Stimmel,
Bower,	Hocker,	McInroy,	Stoner,
Bowman,	Holliday,	Mahan,	Strausser,
Brenninger,	Horst,	Merry,	Tompkins,
Buchanan,	Isaacs,	Miller, B. Z.,	Varnier,
Davis,	Johnson, A. W.,	Miller, H. G.,	Wall,
Dengler,	Johnson, R.,	Murphy, P. J.,	Weldner,
Dennison,	Jones, T. H. W.,	Murray, H. P.,	Wescott,
Donahue,	Kee,	Ogilvie,	Whittaker,
Eshback,	Kelser,	Price,	Williams, E. S.,
Eshleman,	Kernaghan,	Pursley,	Willaredt,
Ewing,	Kessler,	Royer,	Wood,
Fetterolf,	Kooker,	Seltzer,	Wynd,
Fulmer,	Korns,	Snare,	Zimmerman,
Goodrich,	Lee, A. M.,		

## NOT VOTING—35

Agnew,	Gibb,	Murray, J. J.,	Stroup,
Ashton,	Guthrie,	Murray, P. G.,	Sullivan,
Auker,	Haudenshield,	Naugle,	Thompson,
Blair,	Heavey,	O'Dell,	Ujobal,
Brown,	Helm,	Odorisio,	Welsh,
Cooper,	Jenkins,	Petrosky,	Wheeler,
Down,	Knecht,	Reidenbach,	Willard,
Farabaugh,	Magee,	Rigby,	Wilt,
George,	Moran,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1542, Printer's No. 969, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1562, entitled:

An Act amending the "Incompetents' Estate Act of 1955" approved February 28, 1956 (P. L. 1154) including the person of an incompetent within the provisions of the act and providing for appointment of a co-guardian or succeeding guardian.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Anderson,	Gallagher,	McDonald,	Sakulsky,
Arlene,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	Goldstein,	McLaughlin,	Schuster,
Bell,	Goodrich,	Machmer,	Schwartz,
Boles,	Gramlich,	Mahan,	Seltzer,
Bonner,	Hamilton,	Markley,	Sherman,
Boris,	Heffner,	Maxwell,	Shupnik,
Bower,	Helm,	Meholchick,	Silverman,
Bowman,	Henzel,	Merry,	Snare,
Branca,	Hocker,	Mihm,	Snider,
Brenninger,	Holliday,	Miller, B. Z.,	Stank,
Breth,	Holt,	Miller, H. G.,	Steckel,
Buchanan,	Horst,	Mills,	Stevens,
Burns,	Irvis,	Monroe,	Stewart,
Capano,	Isaacs,	Muldowney,	Stimmel,
Capitolo,	Jenkins,	Mullen,	Stone,
Cianfrani,	Jim,	Munley,	Stoner,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.,	Strausser,
Clarke,	Johnson, R.,	Murphy, P. J.,	Stroup,
Comer,	Jones, F. R.,	Murray, H. P.,	Taylor,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Curwood,	Jump,	Musto,	Trusio,
Davis,	Kamyk,	Naugle,	Varallo,
Dengler,	Kee,	Needham,	Varnier,
Dennis,	Kelser,	Nelson,	Verona,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Wall,
Devlin,	Kessler,	O'Donnell, J. P.,	Walsh,
Donahue,	Knecht,	Ogilvie,	Wargo,
Donaldson,	Kooker,	O'Neil,	Weidner,
Dougherty,	Kornick,	Parlante,	Welsh,
Edwards,	Korns,	Pashley,	Wescott,
Ellberg,	Kovolenko,	Perry, H. H.,	Wheeler,
Eshback,	Kubitsky,	Perry, P. E.,	Whittaker,
Eshleman,	Lamb,	Petrosky,	Williams, A. D., Jr.,
Ewing,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, K. B.,	Polen,	Willaredt,
Filo,	Leonard,	Prendergast,	Wilt,
Fineman,	Light,	Pursley,	Wood,
Floyd,	Limper,	Rebman,	Worley,
Flynn,	Lippincott,	Renwick,	Wynd,
Foerster,	Lopresti,	Riley,	Yatron,
Fox,	Luigard,		Yetter,

Frank,  
Frascella,  
Fulmer,  
Galley,

Lutty,  
McCandless,  
McCann,  
McCormack,

Rovansek,  
Royer,  
Rudisill,  
Sakulsky,

Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—24

Agnew,  
Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,

Down,  
Farabaugh,  
George,  
Gibb,  
Guthrie,  
Haudenshield,

Heavey,  
Magee,  
Moran,  
Murray, P. G.,  
O'Dell,  
Odorisio,

Reidenbach,  
Rigby,  
Sullivan,  
Thompson,  
Ujobal,  
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1577, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) providing for inspection of certain vehicles operated outside the State.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Anderson,	Gallagher,	McCormack,	Rudisill,
Arlene,	Garlock,	McDonald,	Sakulsky,
Balthaser,	Gelfand,	McInroy,	Scarcelli,
Barton,	Goldstein,	McKeever,	Schaaf,
Bell,	Goodrich,	McLaughlin,	Schuster,
Boles,	Gramlich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Boris,	Heffner,	Markley,	Sherman,
Bower,	Helm,	Maxwell,	Shupnik,
Bowman,	Henzel,	Meholchick,	Silverman,
Branca,	Hocker,	Merry,	Snare,
Brenninger,	Holliday,	Mihm,	Snider,
Breth,	Holt,	Miller, B. Z.,	Stank,
Buchanan,	Horst,	Miller, H. G.,	Steckel,
Burns,	Irvis,	Mills,	Stevens,
Capano,	Isaacs,	Monroe,	Stewart,
Capitolo,	Jenkins,	Muldowney,	Stimmel,
Cianfrani,	Jim,	Mullen,	Stone,
Cioffi,	Johnson, A. W.,	Munley,	Stoner,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.,	Strausser,
Comer,	Jones, F. R.,	Murphy, P. J.,	Stroup,
Crossin,	Jones, T. H. W.,	Murray, H. P.,	Taylor,
Curwood,	Jump,	Murray, J. J.,	Tompkins,
Davis,	Kamyk,	Musto,	Trusio,
Dengler,	Kee,	Naugle,	Varallo,
Dennis,	Kelser,	Needham,	Varnier,
Dennison,	Kernaghan,	Nelson,	Verona,
Devlin,	Kessler,	O'Donnell, J. A.,	Wall,
Donahue,	Knecht,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kooker,	Ogilvie,	Wargo,
Dougherty,	Kornick,	O'Neil,	Weidner,
Edwards,	Korns,	Parlante,	Welsh,
Ellberg,	Kovolenko,	Pashley,	Wescott,
Eshback,	Kubitsky,	Perry, H. H.,	Wheeler,
Eshleman,	Lamb,	Perry, P. E.,	Whittaker,
Ewing,	Lee, A. M.,	Petrosky,	Williams, A. D., Jr.,
Fetterolf,	Lee, K. B.,	Polaski,	Williams, E. S.,
Filo,	Leonard,	Polen,	Willaredt,
Fineman,	Light,	Prendergast,	Wilt,
Floyd,	Limper,	Pursley,	Wood,
Flynn,	Lippincott,	Rebman,	Worley,
Foerster,	Lopresti,	Renwick,	Wynd,
Fox,	Luigard,	Riley,	Yatron,
			Yetter,

## NAYS—0



## NOT VOTING—24

Agnew, Ashton, Auker, Blair, Brown, Cooper,	Down, Farabaugh, George, Gibb, Guthrie, Haudenshield,	Heavey, Magee, Moran, Murray, P. G., O'Dell, Odorisio,	Reidenbach, Rigby, Sullivan, Thompson, Ujobai, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1839, entitled:

An Act authorizing cities of the second class to acquire for certain purposes by purchase gift exchange or condemnation real property or interests in real property in excess of present needs.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Anderson, Arlene, Balthaser, Barton, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Gailey, Gallagher, Garlock, Gelfand, Goldstein, Goodrich, Gramlich, Hamilton, Hefner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Renwick, Riley, Rovasek, Royer,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—8

Bell, Isaacs,	Kernaghan, Lippincott,	Ogilvie, Pursley,	Stroup, Whittaker,
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## NOT VOTING—24

Agnew, Ashton, Auker,	Down, Farabaugh, George,	Heavey, Magee, Moran,	Reidenbach, Rigby, Sullivan,
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Blair, Brown, Cooper,	Gibb, Guthrie, Haudenshield,	Murray, P. G., O'Dell, Odorisio,	Thompson, Ujobai, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1980, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the marking and counting of ballots.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Anderson, Arlene, Balthaser, Barton, Bell, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Gailey,	Gallagher, Garlock, Gelfand, Goldstein, Goodrich, Gramlich, Hamilton, Hefner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovasek, Royer,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Taylor, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—24

Agnew, Ashton, Auker, Blair, Brown, Cooper,	Down, Farabaugh, George, Gibb, Guthrie, Haudenshield,	Heavey, Magee, Moran, Murray, P. G., O'Dell, Odorisio,	Reidenbach, Rigby, Stroup, Thompson, Ujobai, Willard,
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The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2089, entitled:

An Act amending the act of May 2, 1929 (P. L. 1518) entitled as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators \* \* \* changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits and inspections.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would just like to ask for another slow roll call, but—now just a minute—on the first roll call of the afternoon we had 184 votes. On the second roll call this afternoon we had 174 votes. Now, we are up to 185 votes on our fast roll calls. There is something wrong someplace.

I am going to ask for a slow roll call on every bill unless that situation is corrected.

The SPEAKER pro tempore. The Clerk has informed the Chair that many of the Members are sitting in their seats and at different times do not answer, because they do not wish to be recorded perhaps. So, the Clerk will call the roll slowly and we will ask that each person answers to his or her name, and then we can get the correct roll for the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—179

Anderson,	Gallagher,	McCormack,	Rudisill,
Arlene,	Garlock,	McDonald,	Sakulsky,
Balthaser,	Gelfand,	McInroy,	Scarcell,
Barton,	Goldstein,	McKeever,	Schaaf,
Bell,	Goodrich,	McLaughlin,	Schuster,
Boles,	Gramlich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Boris,	Heffner,	Markley,	Sherman,
Bower,	Helm,	Maxwell,	Shupnik,
Bowman,	Henzel,	Mihm,	Silverman,
Branca,	Hocker,	Meholchick,	Snare,
Brenninger,	Holliday,	Merry,	Snider,
Breth,	Holt,	Miller, B. Z.,	Stank,
Buchanan,	Horst,	Miller, H. G.,	Steckel,
Burns,	Irviss,	Mills,	Stevens,
Capano,	Issacs,	Monroe,	Stewart,
Capitolo,	Jenkins,	Muldowney,	Stimmel,
Cianfrani,	Jim,	Mullen,	Stone,
Cioffi,	Johnson, A. W.,	Munley,	Strausser,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.	Taylor,
Comer,	Jones, F. R.,	Murphy, P. J.,	Tompkins,
Crossin,	Jones, T. H. W.,	Murray, H. P.,	Trusio,
Curwood,	Jump,	Murray, J. J.,	Varallo,
Dengler,	Kamyk,	Musto,	Varnier,
Dennis,	Kee,	Naugle,	Verona,
Dennison,	Keiser,	Needham,	Wall,
Devlin,	Kernaghan,	Nelson,	Walsh,
Donahue,	Kessler,	O'Donnell, J. A.,	Wargo,
Donaldson,	Knecht,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kooker,	Ogilvie,	Welsh,
Eilberg,	Kornick,	O'Neill,	Wescott,
Edwards,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A.D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Filo,	Lee, A. M.,	Petrosky,	Willaredt,
Fineman,	Lee, K. B.,	Polaski,	Wilt,
Floyd,	Leonard,	Polen,	Wood,

Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,  
Galley,

Light,  
Limper,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,  
McCann,

Prendergast,  
Pursley,  
Reibman,  
Renwick,  
Riley,  
Rovanseck,  
Royer,

Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

#### NAYS—6

Davis,  
Fetterolf,

Lippincott,  
Price,

Stoner,

Stroup,

#### NOT VOTING—24

Agnew,  
Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,

Down,  
Farabaugh,  
George,  
Gibb,  
Guthrie,  
Haudenshield,

Heavey,  
Magee,  
Moran,  
Murray, P. G.,  
O'Dell,  
Odorisio,

Reidenbach,  
Rigby,  
Sullivan,  
Thompson,  
Ujobai,  
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2134, entitled:

An Act amending the act of June 11, 1879 (P. L. 147) entitled "An act fixing the compensation of person called to serve as coroner's jurors in this Commonwealth" increasing the compensation of certain coroner's jurors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—177

Anderson,	Fulmer,	McCann,	Rovanseck,
Arlene,	Galley,	McCormack,	Royer,
Balthaser,	Gallagher,	McDonald,	Rudisill,
Barton,	Garlock,	McInroy,	Sakulsky,
Bell,	Gelfand,	McKeever,	Scarcell,
Boles,	Goldstein,	McLaughlin,	Schaaf,
Bonner,	Goodrich,	Machmer,	Schwartz,
Breth,	Gramlich,	Mahan,	Seltzer,
Bowman,	Hamilton,	Markley,	Sherman,
Branca,	Heffner,	Maxwell,	Shupnik,
Brenninger,	Helm,	Meholchick,	Silverman,
Breth,	Henzel,	Merry,	Snare,
Buchanan,	Hocker,	Mihm,	Snider,
Burns,	Holliday,	Miller, B. Z.,	Stank,
Capano,	Holt,	Miller, H. G.,	Steckel,
Capitolo,	Horst,	Mills,	Stevens,
Cianfrani,	Irviss,	Monroe,	Stewart,
Cioffi,	Isaacs,	Muldowney,	Stimmel,
Clarke,	Jim,	Mullen,	Stone,
Comer,	Johnson, A. W.,	Munley,	Stoner,
Crossin,	Johnson, R.,	Murphy, A. J., Jr.,	Stroup,
Curwood,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, H. P.,	Tompkins,
Dengler,	Jump,	Musto,	Trusio,
Dennis,	Kamyk,	Naugle,	Varallo,
Dennison,	Kee,	Needham,	Varnier,
Devlin,	Keiser,	Nelson,	Verona,
Donaldson,	Kernaghan,	O'Donnell, J. A.,	Wall,
Donahue,	Kessler,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kooker,	Ogilvie,	Wargo,
Eilberg,	Kornick,	O'Neill,	Weidner,
Edwards,	Korns,	Parlante,	Wescott,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A.D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Filo,	Lee, A. M.,	Petrosky,	Willaredt,
Fineman,	Lee, K. B.,	Polaski,	Wood,
Floyd,	Leonard,	Polen,	Worley,
Flynn,	Light,	Prendergast,	Wynd,
Foerster,	Limper,	Price,	Yatron,
	Lippincott,	Pursley,	Yetter,
	Lopresti,	Reibman,	Zimmerman,



Fox,  
Frank,  
Frascella,

Luigard,  
Lutty,  
McCandless,

Renwick,  
Riley,

Andrews,  
Speaker

NAYS—1

Strausser,

NOT VOTING—31

Agnew,  
Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,  
Down,  
Farabaugh,

George,  
Gibb,  
Guthrie,  
Haudenshield,  
Heavey,  
Jenkins,  
Knecht,  
Magee,

Moran,  
Murray, J. J.,  
Murray, P. G.,  
O'Dell,  
Odorisio,  
Reidenbach,  
Rigby,  
Schuster,

Sullivan,  
Thompson,  
Ujobai,  
Welsh,  
Wheeler,  
Willard,  
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PARLIAMENTARY INQUIRY

Mr. TOMPKINS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, in doing so I must go back to a previous statement made by the Speaker on my last inquiry. Did I understand the Speaker to say that on some of these roll calls Members were sitting in their seats and not voting?

The SPEAKER pro tempore. The Clerk informed the Chair that they had not answered to their names, and also that some of them had walked out at different intervals.

Mr. TOMPKINS. Mr. Speaker, as a matter of parliamentary inquiry I want to pose the question: Can a duly elected Member of this House of Representatives sit in this Hall during a roll call and refuse to cast his vote?

The SPEAKER pro tempore. A Member if he is present in the Hall of the House is required to vote under the Rules.

Mr. TOMPKINS. Then if it is so that some are sitting here and are not recording their votes, I think something should be done about that in order that we get these roll calls accurate.

Mr. Speaker, I cannot speak for the gentleman who was absent yesterday, and who was absent Monday, and who was absent all last week, but the papers this morning reported the gentleman from Cumberland, Mr. George, as having voted on the radar bill yesterday, and he has not been in the Hall of this House in the last ten days. Now that man is going to get into trouble because of that reported vote. I do not think it is fair.

The SPEAKER pro tempore. The Chair is informed that on the official roll call the gentleman is not recorded as having voted.

Mr. TOMPKINS. I hope the newspaper will take note of that and please report it as such.

Mr. McCANN. Mr. Speaker, the question involved is that the newspapers are not the official record of the vote of this House. The official vote of this House is in the possession of the Chief Clerk of this House, and that is the official record printed in the Journal. The gentleman is not recorded, even though all the newspapers say he voted for the bill. They have to get their information otherwise.

The SPEAKER pro tempore. The situation as stated by the Majority Leader is correct. The Chair has before it the official roll of the House, and the gentleman is not recorded on the roll, and he has not been recorded all week.

Mr. TOMPKINS. I thank the Chair.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2153, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the use of spotlights or other artificial lights on big game between certain hours and prescribing penalties.

On the question?

Shall the bill pass finally?

Mr. BOWMAN. Mr. Speaker, we have before us at this moment a penal statute, an amendment to the Penal Code. I believe it is incumbent upon this House of Representatives to be particularly careful in the draftsman-ship and the passage of Acts in which this Legislature designates a crime.

This particular bill, which again is one of the bills having much merit, in my opinion however is extremely loosely drafted. This bill as drafted would permit a wholly innocent person to be found guilty of spotlighting deer by the mere fact that he was present at a time when another member of his party or group put a spotlight upon a deer. That could conceivably happen, and probably would happen, in many instances when the innocent individual had no method to protest and no chance to avoid being part of this designated crime.

It is quite obvious that if a spotlight were on a car traveling along the highway, and you were not the operator of the spotlight or the driver of the car, the spotlight could be turned upon a deer. You, the innocent passenger, would be found guilty of the crime, as we prescribed it in this bill.

I would also call to your attention the fact that a farmer happening to turn on a spotlight on his house, barn or other out building, which spotlight falls upon a deer, is guilty of the crime, as this bill is written.

When we are dealing with penal provisions we should be precise and concise, and I ask that the Members of this House who are interested in being precise and concise with respect to the designation of crime oppose this bill because it is too loosely drawn.

Mr. HOLLIDAY. Mr. Speaker, in line with what the gentleman from Dauphin County has just said, I was going to question the Speaker on the same proposition, because I live in the country and many times we have deer come practically down in what is our front yard, our field adjacent to my house. Under this bill as written, if we were sitting on the porch late at night on a summer evening, or summer afternoon, or in the fall, and the deer came into the yard, and in order to look at the deer I turned a spotlight on it, or somebody on the porch did, we would be guilty of a crime. I think this bill, as the gentleman from Dauphin said, is loosely written and should be recommitted for further study.

Mr. BRETH. Mr. Speaker, I believe this bill is ill-advised. I think there is a sincere desire on the part of the sponsors to try to remedy a serious situation in some

parts of the state where violators, smart violators, manage to elude the Pennsylvania Game Commission's game protectors.

However this bill does not amend the game law. It amends the Penal Code, which I think, and agree with the previous speakers, is quite dangerous. Furthermore I believe the provisions now in the Game Code are adequate and place the finger on the violator or would be violator.

The present Game Code provides that if you throw a light, spotlight or otherwise, on a deer at any hour of the night, if you have a gun in your car, a bow and arrow or any other instrument that can be used to kill deer, you are liable under the Game Code. I do believe there are a great many citizens in Pennsylvania who might be innocently trapped and made criminals of, if this bill passes. Therefore I do ask that this House—well, shall we say—refuse to pass this measure of legislation.

Mr. HOCKER. I would like to interrogate one of the sponsors of the bill.

The SPEAKER pro tempore. Will the gentleman, Mr. Yetter, permit himself to be interrogated?

Mr. YETTER. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, the way I have read this bill, this bill reads from 12:30 midnight until 6 in the morning; is that correct?

Mr. YETTER. That is correct.

Mr. HOCKER. Will you tell me the difference between spotlighting a deer from sunset until 12:30 midnight, and spotlighting one between 12:30 midnight and sunrise? What is the difference?

Mr. YETTER. Mr. Speaker, there are a lot of sportsmen as well as other people who like to go out and spotlight deer. In drafting this bill we took that into consideration. We did not want to deprive anyone of the pleasure of going out and spotlighting deer. The game protectors and anybody interested in trying to control the slaughter of deer illegally with spotlights all agree that the most violations are done from 12 o'clock until sunrise.

A good example of that happened at my home last week. At 3:30 in the morning the dog barked. I looked out the window, and somebody was stealing gas out of one of the trucks. They do not do that early in the evening. They do it when they figure everybody is in bed. That was the reason for making this from 12:30 until sunrise.

Mr. HOCKER. Mr. Speaker, will the gentleman agree with me, though, that the same thing could happen between sunset and 12:30 midnight that could happen between midnight and sunrise?

Mr. YETTER. That is correct.

Mr. HOCKER. That is all. Mr. Speaker.

I will have to agree with my colleague, Mr. Bowman, there may be a great need for this, but I do not think this piece of legislation is the answer.

Mr. YETTER. Mr. Speaker, there has been a lot of study and thought put into this bill. I have discussed the bill with the Chairman of Game and Conservation; he has amended it. I discussed it with the Game Commission. In fact the law enforcement officer in the Game Commission and the executive director helped draft the bill. I talked to local sportsmen at home, and they are actually the ones who urged me to introduce this legislation. I talked to the Pennsylvania Federation; they are in support of the bill. In fact the situation at home is at the state right

now that the sportsmen are accusing me of working with the outlaws by not getting legislation through. For that reason I would like to have a lot of support for this bill.

Mr. BRETH. Mr. Speaker, I would correct the gentleman just to this extent: The endorsement of this legislation by the Federation of Sportsmen's clubs was on House Bill No. 1871, which amended the Game Code and properly put the enforcement with the Game Commission.

This new bill, House Bill No. 2153, amends the Penal Code and permits any officer anywhere to enforce this particular bill. Therefore the sportsmen have withdrawn their support of House Bill No. 2153 because it does amend the Penal Code and does not amend the Game Code.

Mr. GOODRICH. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Yetter.

The SPEAKER pro tempore. Will the gentleman from Monroe permit himself to be interrogated?

Mr. YETTER. I shall, Mr. Speaker.

Mr. GOODRICH. Mr. Speaker, if a farmer used a light after 12:30 at night for any reason on his own property, and the light were to fall on a game animal, he would be guilty under this bill, would he not?

Mr. YETTER. I suppose he would.

Mr. GOODRICH. I thank the gentleman.

Mr. Speaker, there are a great many times that a farmer is required to use a light on his own property. His cattle can get out of the pasture, even on his neighbor's property, and he certainly would not be permitted to use a light there.

Also, in many parts of the state, including the northern tier, we have a great deal of bear damage in regard to sheep. Certainly with this bill a farmer could not protect his own property. It has always been a tradition in Pennsylvania to permit a farmer to protect his own property.

For that reason and for the reasons stated before, I would like to have all the votes against this bill that we can get.

Mr. TOMPKINS. Mr. Speaker, I am in agreement with the general theory behind this bill, but this bill is not the answer to it; it is too broad. If it were limited to motor vehicles or something like that, I might be able to go along with it.

There is a need for legislation of this kind, there is no question about it, but this is too broad and would defeat the purposes of the theory behind the bill. For the purpose of getting the bill into the shape in which it should be,

#### BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of getting the bill into the shape it should be.

On the question,

Will the House agree to the motion?

Mr. FRANK. Mr. Speaker, I am one of the sponsors of this bill. I am known as an indoor sportsman. I am more of an expert on two legged deer than four. This is a good bill. I would not like to see it recommitted. I would like to see the House vote on it.

Mr. YETTER. I wish to oppose the recommitment of this bill. This bill has been studied, has been on the calendar, and there has been lots of time for anybody to amend the bill. Nobody has come up with any amendments but Mr. Breth, and he amended it. Supposedly this



bill is in good shape, and I would like to have a vote on it today.

On the question recurring,

Will the House agree to the motion?

A division was called for, eighty-nine Members having voted in the affirmative and forty-two in the negative, the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 95, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boles,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Sherman,
Boris,	Gramlich,	Mahan,	Shupnik,
Bower,	Hamilton,	Markley,	Silverman,
Bowman,	Heffner,	Maxwell,	Snare,
Branca,	Helm,	Meholchick,	Snider,
Brenninger,	Henzel,	Merry,	Stank,
Breth,	Hocker,	Mihm,	Steckel,
Buchanan,	Holliday,	Miller, B. Z.,	Stevens,
Burns,	Holt,	Miller, H. G.,	Stewart,
Capano,	Horst,	Mills,	Stimmel,
Capitolo,	Irvis,	Monroe,	Stone,
Cianfrani,	Isaacs,	Muldowney,	Stoner,
Cioffi,	Jim,	Mullen,	Strausser,
Clarke,	Johnson, A. W.,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Taylor,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Trusio,
Davis,	Jump,	Musto,	Varallo,
Dengler,	Kamyk,	Naugle,	Varnier,
Dennis,	Kee,	Needham,	Verona,
Dennison,	Keiser,	Nelson,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donahue,	Kessler,	O'Donnell, J. P.	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weldner,
Dougherty,	Kornick,	O'Neil,	Wescott,
Edwards,	Korns,	Parlante,	Whittaker,
Eilberg,	Kovolenko,	Pashley,	Williams, A. D., Jr.,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Lamb,	Perry, P. E.,	Willaredt,
Ewing,	Lee, A. M.,	Petrosky,	Wood,
Fetterolf,	Lee, K. B.,	Polaski,	Worley,
Filo,	Leonard,	Polen,	Wynd,
Fineman,	Light,	Prendergast,	Yatron,
Floyd,	Limper,	Price,	Yetter,
Flynn,	Lippincott,	Pursley,	Zimmerman,
Foerster,	Lopresti,	Reibman,	Andrews,
Fox,	Luigard,	Renwick,	Speaker
Frank,	Lutty,	Riley,	
Frascella,	McCandless,	Rovansek,	

#### NAYS—0

#### NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobal,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cambria for presiding.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 665, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" further regulating the security required for deposits of State moneys.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boles,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Haudenshield,	Markley,	Shupnik,
Bowman,	Heffner,	Maxwell,	Silverman,
Branca,	Helm,	Meholchick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Hocker,	Mihm,	Stank,
Buchanan,	Holliday,	Miller, B. Z.,	Steckel,
Burns,	Holt,	Miller, H. G.,	Stevens,
Capano,	Horst,	Mills,	Stewart,
Capitolo,	Irvis,	Monroe,	Stimmel,
Cianfrani,	Isaacs,	Muldowney,	Stone,
Cioffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Strausser,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Tompkins,
Davis,	Jump,	Musto,	Trusio,
Dengler,	Kamyk,	Naugle,	Varallo,
Dennis,	Kee,	Needham,	Varnier,
Dennison,	Keiser,	Nelson,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wall,
Donahue,	Kessler,	O'Donnell, J. P.	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weldner,
Dougherty,	Kornick,	O'Neil,	Walsh,
Edwards,	Korns,	Parlante,	Wescott,
Eilberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,	Rovansek,	

#### NAYS—0

#### NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobal,
Blair,	Hamilton,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,

Cooper,  
Down,  
Farabaugh,

Jenkins,  
Knecht,  
Magee,

Reidenbach,  
Rigby,  
Schuster,

Willard,  
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. O'Neill.

The House resumed the consideration on final passage of House Bill No. 1800, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) permitting certain females to mix or serve liquor or malt or brewed beverages behind the bar.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—123

Anderson,	Fulmer,	McKeever,	Royer,
Arlene,	Galley,	McLaughlin,	Sakulsky,
Balthaser,	Gallagher,	Machmer,	Scarcelli,
Boles,	Gelfand,	Markley,	Schaaf,
Bonner,	Goldstein,	Maxwell,	Schwartz,
Boris,	Gramlich,	Meholchick,	Sherman,
Branca,	Hamilton,	Mihm,	Shupnik,
Brenninger,	Helm,	Mills,	Silverman,
Breth,	Henzel,	Monroe,	Snare,
Burns,	Holt,	Muldowney,	Stank,
Capano,	Irvis,	Mullen,	Steckel,
Capitolo,	Isaacs,	Munley,	Stewart,
Cianfrani,	Jim,	Murphy, A. J., Jr.	Stimmel,
Cioffi,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Clarke,	Johnson, R.,	Musto,	Stroup,
Comer,	Jones, F. R.,	Naugle,	Taylor,
Crossin,	Kamyk,	Needham,	Trusio,
Curwood,	Kee,	Nelson,	Varallo,
Dennis,	Kernaghan,	O'Donnell, J. A.,	Varner,
Devlin,	Kornick,	O'Donnell, J. P.,	Verona,
Donaldson,	Kovolenko,	O'Neill,	Wargo,
Dougherty,	Lamb,	Parlante,	Weidner,
Ellberg,	Leonard,	Pashley,	Wescott,
Eshleman,	Limper,	Perry, H. H.,	Whittaker,
Fetterolf,	Lippincott,	Perry, P. E.,	Willaredt,
Filo,	Lopresti,	Petrosky,	Wynd,
Fineman,	Lulgard,	Polaski,	Yatron,
Floyd,	Lutty,	Prendergast,	Yetter,
Flynn,	McCann,	Renwick,	Zimmerman,
Frank,	McCormack,	Riley,	Andrews,
Frascella,	McDonald,	Rovanske,	Speaker

#### NAYS—55

Barton,	Garlock,	Lee, K. B.,	Rudisill,
Bell,	Goodrich,	Light,	Seltzer,
Bower,	Heffner,	McCandless,	Snider,
Bowman,	Hocker,	McInroy,	Stevens,
Buchanan,	Holliday,	Mahan,	Stoner,
Davis,	Horst,	Merry,	Strausser,
Dengler,	Jones, T. H. W.,	Miller, B. Z.,	Tompkins,
Dennison,	Jump,	Miller, H. G.,	Wall,
Donahue,	Keiser,	Murray, H. P.,	Walsh,
Edwards,	Kessler,	Ogilvie,	Williams, A. D., Jr.,
Eshback,	Kooker,	Polen,	Williams, E. S.,
Ewing,	Korns,	Price,	Wood,
Foerster,	Kubitsky,	Pursley,	Worley,
Fox,	Lee, A. M.,	Reibman,	Wynd,

#### NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobal,

Blair,  
Brown,  
Cooper,  
Down,  
Farabaugh,

Haudenshield,  
Heavey,  
Jenkins,  
Knecht,  
Magee,

O'Dell,  
Odorisio,  
Reidenbach,  
Rigby,  
Schuster,

Welsh,  
Wheeler,  
Willard,  
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS ON THIRD READING

There being no objection,

House Bill No. 253, Printer's No. 911;

House Bill No. 322, Printer's No. 1161, and

House Bill No. 325, Printer's No. 999,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 354, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159) authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boles,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Hamilton,	Markley,	Shupnik,
Bowman,	Heffner,	Maxwell,	Silverman,
Branca,	Helm,	Meholchick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Hocker,	Mihm,	Stank,
Buchanan,	Holliday,	Miller, B. Z.,	Steckel,
Burns,	Holt,	Miller, H. G.,	Stevens,
Capano,	Horst,	Mills,	Stewart,
Capitolo,	Irvis,	Monroe,	Stimmel,
Cianfrani,	Isaacs,	Muldowney,	Stone,
Cioffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Strausser,
Comer,	Johnson, R.,	Murphy, A. J., Jr.,	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Tompkins,
Davis,	Jump,	Musto,	Trusio,
Dengler,	Kamyk,	Naugle,	Varallo,
Dennis,	Kee,	Needham,	Varner,
Dennison,	Kelser,	Nelson,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wall,
Donahue,	Kessler,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kooker,	Ogilvie,	Wargo,
Dougherty,	Kornick,	O'Neill,	Weidner,
Edwards,	Korns,	Parlante,	Wescott,
Ellberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,	Rovanske,	



## NAYS—0

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 385, Printer's No. 1124, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 398, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for the issuance of permits for the movement of certain equipment of excessive size or weight.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boles,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Hamilton,	Markley,	Shupnik,
Bowman,	Heffner,	Maxwell,	Silverman,
Branca,	Helm,	Meholchick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Hocker,	Mihm,	Stank,
Buchanan,	Holliday,	Miller, B. Z.,	Steckel,
Burns,	Holt,	Miller, H. G.,	Stevens,
Capano,	Horst,	Mills,	Stewart,
Capitolo,	Irvis,	Monroe,	Stimmel,
Cianfrani,	Isaacs,	Muldowney,	Stone,
Cloffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Strausser,
Comer,	Johnson, R.,	Murphy, A. J., Jr.,	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Tompkins,
Davis,	Jump,	Musto,	Trusio,
Dengler,	Kamyk,	Naugle,	Varallo,
Dennis,	Kee,	Needham,	Varnier,
Dennison,	Kelser,	Nelson,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wall,
Donahue,	Kessler,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kooker,	Ogilvie,	Wargo,
Dougherty,	Kornick,	O'Neil,	Weidner,
Edwards,	Korns,	Parlante,	Wescott,
Ellberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,

Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,

Light,  
Limper,  
Lippincott,  
Lopresti,  
Lugard,  
Lutty,  
McCandless,

Prendergast,  
Price,  
Pursley,  
Reibman,  
Renwick,  
Riley,  
Rovanseck,

Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 511, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring pedestrians to identify themselves when charged with certain violations.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. EILBERG. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

## BILLS PASSED OVER

There being no objection,

House Bill No. 608, Printer's No. 1162;

House Bill No. 647, Printer's No. 1125, and

House Bill No. 672, Printer's No. 859,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 677, entitled:

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines \* \* \*, changing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—170

Anderson,	Frascella,	McCandless,	Rovanseck,
Arlene,	Fulmer,	McCann,	Royer,
Balthaser,	Galley,	McCormack,	Rudisill,

Barton,	Gallagher,	McDonald,	Sakulsky,
Bell,	Garlock,	McInroy,	Scarcelli,
Boles,	Gelfand,	McKeever,	Schaaf,
Bonner,	Goldstein,	McLaughlin,	Schwartz,
Boris,	Goodrich,	Machmer,	Seltzer,
Bower,	Gramlich,	Mahan,	Sherman,
Bowman,	Hamilton,	Markley,	Shupnik,
Branca,	Heffner,	Maxwell,	Silverman,
Brenninger,	Helm,	Meholchick,	Snare,
Breth,	Henzel,	Merry,	Snider,
Buchanan,	Hocker,	Mihm,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irviss,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jim,	Mullen,	Stone,
Clarke,	Johnson, A. W.,	Munley,	Stoner,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Curwood,	Jones, T. H. W.,	Musto,	Tompkins,
Davis,	Jump,	Naugle,	Trusio,
Dengler,	Kamyk,	Needham,	Varallo,
Dennis,	Kee,	Nelson,	Varner,
Dennison,	Keiser,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.	Walsh,
Donahue,	Kessler,	Ogilvie,	Wargo,
Donaldson,	Kornick,	O'Neill,	Weidner,
Dougherty,	Korns,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Whittaker,
Ellberg,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Lamb,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Petrosky,	Willaredt,
Ewing,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Renwick,	Zimmerman,
Fox,	Luigard,	Riley,	Andrews,
Frank,	Lutty,		Speaker

## NAYS—8

Fetterolf,	Kooker,	Murray, H. P.,	Strausser,
Holliday,	Miller, B. Z.,	Pursley,	Wall,

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobal,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

## BILLS PASSED OVER

There being no objection,  
House Bill No. 725, Printer's No. 1085;  
House Bill No. 777, Printer's No. 1126;  
House Bill No. 847, Printer's No. 1001, and  
House Bill No. 853, Printer's No. 1127,  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 879, entitled:

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations \* \* \* requiring certain information and reports and prescribing penalties" extending the provision of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—173

Anderson,	Fulmer,	McCandless,	Royer,
Arlene,	Galley,	McCann,	Rudisill,
Balthaser,	Gallagher,	McCormack,	Sakulsky,
Barton,	Garlock,	McDonald,	Scarcelli,
Bell,	Gelfand,	McInroy,	Schaaf,
Boles,	Goldstein,	McKeever,	Schwartz,
Bonner,	Goodrich,	McLaughlin,	Seltzer,
Boris,	Gramlich,	Machmer,	Sherman,
Bower,	Hamilton,	Mahan,	Shupnik,
Bowman,	Heffner,	Markley,	Silverman,
Branca,	Helm,	Maxwell,	Snare,
Brenninger,	Henzel,	Meholchick,	Snider,
Breth,	Hocker,	Merry,	Stank,
Buchanan,	Holliday,	Mihm,	Steckel,
Burns,	Holt,	Miller, H. G.,	Stevens,
Capano,	Horst,	Mills,	Stewart,
Capitolo,	Irviss,	Monroe,	Stimmel,
Cianfrani,	Isaacs,	Muldowney,	Stone,
Cioffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Taylor,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Musto,	Trusio,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Varner,
Dennison,	Kee,	Nelson,	Verona,
Devlin,	Keiser,	O'Donnell, J. A.,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. P.	Walsh,
Donaldson,	Kessler,	Ogilvie,	Wargo,
Dougherty,	Kooker,	O'Neill,	Weidner,
Edwards,	Kornick,	Parlante,	Wescott,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Fetterolf,	Lee, A. M.,	Polaski,	Wood,
Filo,	Lee, K. B.,	Polen,	Worley,
Fineman,	Leonard,	Prendergast,	Wynd,
Floyd,	Light,	Price,	Yatron,
Flynn,	Limper,	Reibman,	Yetter,
Foerster,	Lippincott,	Renwick,	Zimmerman,
Fox,	Lopresti,	Riley,	Andrews,
Frank,	Luigard,	Rovanssek,	Speaker
Frascella,	Lutty,		

## NAYS—5

Davis,	Murray, H. P.,	Pursley,	Strausser,
Miller, B. Z.,			

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobal,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 907, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) prohibiting the purchase or possession of liquor or malt or brewed beverages by minors over the age of seventeen years.

On the question,

Will the House agree to the bill on third reading?

Mr. T. H. W. JONES asked unanimous consent to offer amendments at this time.



The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, last two lines of Title, by striking out "over the age of seventeen years" and inserting: "eighteen years of age or over".

Amend Sec. 1 (Sec. 493), page 3, line 3, by striking out "over the age of seventeen years" and inserting: "eighteen years of age or over".

Amend Sec. 1 (Sec. 493), page 3, line 4, by striking out "possess" and inserting: "consume."

Amend Sec. 1 (Sec. 493), page 3, line 4, by inserting after "beverages" "provided, however, that such consumption shall not be unlawful when it is in the home of and in the presence of an adult member of his family" "Any person violating the provisions of this clause shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of fifty dollars (\$50), and on failure to pay such fine, to imprisonment for a period of ten (10) days."

Amend Sec. 2, page 3, lines 5 to 20, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 923, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities \* \* \*" providing a method of paying service increments from the pension fund to employes of the city after retirement.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. KAMYK. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Counties Second Class and Second Class A.

The motion was agreed to.

#### BILL PASSED OVER

There being no objection

House Bill No. 953, Printer's No. 1083 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—176

Anderson,	Frascella,	Lutty,	Renwick,
Arlene,	Fulmer,	McCandless,	Riley,
Balthaser,	Galley,	McCann,	Rovansek,
Barton,	Gallagher,	McCormack,	Royer,
Bell,	Garlock,	McDonald,	Rudisill,
Boles,	Gelfand,	McInroy,	Sakulsky,
Bonner,	Goldstein,	McKeever,	Scarcelli,
Boris,	Goodrich,	McLaughlin,	Schaaf,
Bower,	Gramlich,	Machmer,	Schwartz,
Bowman,	Hamilton,	Mahan,	Seltzer,
Branca,	Heffner,	Markley,	Sherman,
Brenninger,	Helm,	Maxwell,	Shupnik,
Breth,	Henzel,	Meholchick,	Silverman,
Buchanan,	Hocker,	Merry,	Snare,
Burns,	Holliday,	Mihm,	Snyder,
Capano,	Holt,	Miller, B. Z.,	Stank,
Capitolo,	Horst,	Miller, H. G.,	Steckel,
Cianfrani,	Irvis,	Mills,	Stevens,
Cioffi,	Isaacs,	Monroe,	Stewart,
Clarke,	Jim,	Muldowney,	Stimmel,
Comer,	Johnson, A. W.,	Mullen,	Stone,
Crossin,	Johnson, R.,	Munley,	Stoner,
Curwood,	Jones, F. R.,	Murphy, A. J., Jr.	Strausser,
Davis,	Jones, T. H. W.,	Murphy, P. J.,	Stroup,
Dengler,	Jump,	Murray, H. P.,	Taylor,
Dennis,	Kamyk,	Musto,	Trusio,
Dennison,	Kee,	Naugle,	Varallo,
Devlin,	Kelser,	Needham,	Varner,
Donahue,	Kernaghan,	Nelson,	Verona,
Donaldson,	Kessler,	O'Donnell, J. A.,	Wall,
Dougherty,	Kooker,	O'Donnell, J. P.	Walsh,
Edwards,	Kornick,	Ogilvie,	Wargo,
Eilberg,	Korns,	O'Neil,	Weidner,
Eshback,	Kovolenko,	Parlante,	Wescott,
Eshleman,	Kubitsky,	Pashley,	Whittaker,
Ewing,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Fetterolf,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Filo,	Lee, K. B.,	Petrosky,	Willaredt,
Fineman,	Leonard,	Polaski,	Wood,
Floyd,	Light,	Polen,	Wynd,
Flynn,	Limper,	Prendergast,	Yatron,
Foerster,	Lippincott,	Price,	Yetter,
Fox,	Lopresti,	Pursley,	Zimmerman,
Frank,	Luigard,	Reibman,	Andrews,

Speaker

#### NAYS—2

Tompkins, Worley,

#### NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobal,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 982, entitled:

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) requiring tax collectors to include additional information when making statements for taxes collected.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Balthaser,	Gallagher,	McDonald,	Rudisill,
Barton,	Garlock,	McInroy,	Sakulsky,
Bell,	Gelfand,	McKeever,	Scarcelli,
Boies,	Goldstein,	McLaughlin,	Schaaf,
Bonner,	Goodrich,	Machmer,	Schwartz,
Boris,	Gramlich,	Mahan,	Seltzer,
Bower,	Hamilton,	Markley,	Sherman,
Bowman,	Heffner,	Maxwell,	Shupnik,
Branca,	Helm,	Meholchick,	Silverman,
Brenninger,	Henzel,	Merry,	Snare,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvis,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jim,	Mullen,	Stone,
Clarke,	Johnson, A. W.,	Munley,	Stoner,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Strausser,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Stroup,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Taylor,
Davis,	Jump,	Musto,	Tompkins,
Dengler,	Kamyk,	Naugle,	Trusio,
Dennis,	Kee,	Needham,	Varallo,
Dennison,	Keiser,	Nelson,	Varnier,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Verona,
Donahue,	Kessler,	O'Donnell, J. P.	Wall,
Donaldson,	Kooker,	Oglivie,	Walsh,
Dougherty,	Kornick,	O'Neil,	Wargo,
Edwards,	Korns,	Parlante,	Weidner,
Ellberg,	Kovolenko,	Pashley,	Wescott,
Eshback,	Kubitsky,	Perry, H. H.,	Whittaker,
Eshleman,	Lamb,	Perry, P. E.,	Williams, A.D., Jr.,
Ewing,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wood,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,		

## NAYS—1

Worley,

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujohai,
Blair,	Haudenschild,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Ragby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1018, Printer's No. 1086 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1055, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589) altering the requirements for licensure increasing penalties for unlicensed barbering or teaching \* \* \*

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. BOIES. Mr. Speaker, I move that this bill be re-committed to the Committee on Professional Licensure.

The motion was agreed to.

## BILLS PASSED OVER

There being no objection

House Bill No. 1059, Printer's No. 764

House Bill No. 1063, Printer's No. 978, and

House Bill No. 1067, Printer's No. 919

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1071, entitled:

An Act amending "An act to consolidate amend and revise the Penal Laws of the Commonwealth" approved June 24, 1939 (P. L. 872) regulating the advertisement of merchandise offered for sale by certain businesses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boies,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Hamilton,	Markley,	Shupnik,
Bowman,	Heffner,	Maxwell,	Silverman,
Branca,	Helm,	Meholchick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Hocker,	Mihm,	Stank,
Buchanan,	Holliday,	Miller, B. Z.,	Steckel,
Burns,	Holt,	Miller, H. G.,	Stevens,
Capano,	Horst,	Mills,	Stewart,
Capitolo,	Irvis,	Monroe,	Stimmel,
Cianfrani,	Isaacs,	Muldowney,	Stone,
Cioffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Strausser,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Curwood,	Jones, T. H. W.,	Murray, H. P.,	Tompkins,
Davis,	Jump,	Musto,	Trusio,
Dengler,	Kamyk,	Naugle,	Varallo,
Dennis,	Kee,	Needham,	Varnier,
Dennison,	Keiser,	Nelson,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wall,
Donahue,	Kessler,	O'Donnell, J. P.	Walsh,
Donaldson,	Kooker,	Oglivie,	Wargo,
Dougherty,	Kornick,	O'Neil,	Weidner,
Edwards,	Korns,	Parlante,	Wescott,
Ellberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A.D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,	Rovansek,	

## NAYS—0



## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenschild,	O'Dell,	Welsh,
Brown,	Heavey,	Odorisio,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1126, entitled:

An Act amending the "Cooperative Agricultural Non-Stock Associations Law" approved June 12, 1919 (P. L. 466) requiring foreign cooperatives to add the word "cooperative" to their name.

On the question,

Will the House agree to the bill on third reading?

Mr. SNIDER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "requiring" "certain."

Amend Sec. 1 (Sec. 21), page 2, line 16, by inserting after "no" "application made after the effective date of this amendment from"

Amend Sec. 1 (Sec. 21), page 2, lines 16 and 17, by striking out "cooperative may" and inserting "cooperatives to"

Amend Sec. 1 (Sec. 21), page 2, line 18, by inserting after "State" "shall be accepted"

Amend Sec. 1 (Sec. 21), page 2, lines 18, 19 and 20, by striking out "If the word" in line 18, all of line 19 and "then such cooperative shall for use in this State" in line 20, and inserting "Nothing herein contained shall be deemed to require such foreign cooperatives to"

Amend Sec. 1 (Sec. 21), page 3, line 1, by inserting after "cooperative" "if they are presently authorized to do business in this State"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS PASSED OVER

There being no objection

House Bill No. 1308, Printer's No. 866

House Bill No. 1365, Printer's No. 514

House Bill No. 1372, Printer's No. 870 and

House Bill No. 1376, Printer's No. 632

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1388, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring that policies of fire insurance issued by stock and mutual insurance companies associations and exchanges contain standard policy provisions herein prescribed prescribing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—155

Anderson,	Flynn,	Lopresti,	Pursley,
Arlene,	Foerster,	Luigard,	Reibman,
Balthaser,	Frank,	Lutty,	Renwick,
Barton,	Frascella,	McCann,	Riley,
Bell,	Galley,	McCormack,	Rovansek,
Boies,	Gallagher,	McDonald,	Royer,
Bonner,	Garlock,	McInroy,	Rudisill,
Boris,	Gelfand,	McKeever,	Sakulsky,
Bower,	Goldstein,	McLaughlin,	Scarcelli,
Bowman,	Gramlich,	Machmer,	Schaaaf,
Branca,	Hamilton,	Markley,	Schwartz,
Brenninger,	Helm,	Maxwell,	Sherman,
Breth,	Henzel,	Meholchick,	Shupnik,
Burns,	Hocker,	Mihm,	Silverman,
Capano,	Holliday,	Miller, B. Z.,	Snare,
Capitolo,	Holt,	Miller, H. G.,	Snider,
Cianfrani,	Irviss,	Mills,	Stank,
Cioffi,	Isaacs,	Monroe,	Steckel,
Clarke,	Jim,	Muldowney,	Stevens,
Comer,	Johnson, A. W.,	Mullen,	Stewart,
Crossin,	Johnson, R.,	Munley,	Stimmel,
Curwood,	Jones, F. R.,	Murphy, A. J., Jr.	Stone,
Davis,	Jones, T. H. W.,	Murphy, P. J.,	Stoner,
Dengler,	Jump,	Murray, H. P.,	Strausser,
Dennis,	Kamyk,	Musto,	Taylor,
Dennison,	Kee,	Naugle,	Trusio,
Devlin,	Kelser,	Needham,	Varallo,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Varner,
Donaldson,	Kessler,	O'Donnell, J. P.,	Verona,
Dougherty,	Kooker,	Ogilvie,	Wescott,
Edwards,	Kornick,	O'Neil,	Whittaker,
Ellberg,	Korns,	Parlante,	Willaredt,
Eshback,	Kovolenko,	Pashley,	Worley,
Eshleman,	Kubitsky,	Perry, P. E.,	Wynd,
Ewing,	Lamb,	Petrosky,	Yatron,
Fetterolf,	Leonard,	Polaski,	Yetter,
Fillo,	Light,	Polen,	Andrews,
Fineman,	Limper,	Prendergast,	Speaker
Floyd,	Lippincott,	Price,	

## NAYS—23

Buchanan,	Lee, A. M.,	Perry, H. H.,	Weldner,
Fox,	Lee, K. B.,	Seltzer,	Williams, A. D., Jr.,
Fulmer,	McCandless,	Stroup,	Williams, E. S.,
Goodrich,	Mahan,	Tompkins,	Wood,
Heffner,	Merry,	Wall,	Zimmerman,
Horst,	Nelson,	Walsh,	

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenschild,	O'Dell,	Wargo,
Brown,	Heavey,	Odorisio,	Welsh,
Cooper,	Jenkins,	Reidenbach,	Wheeler,
Down,	Knecht,	Rigby,	Willard,
Farabaugh,	Magee,	Schuster,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1405, Printer's No. 1042,  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1415, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 21, 1921 (P. L. 789) extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—111

Anderson,	Frank,	Luigard,	Polaski,
Arlene,	Frascella,	Lutty,	Prendergast,
Boles,	Galley,	McCann,	Riley,
Bonner,	Gallagher,	McCormack,	Rovansek,
Boris,	Garlock,	McDonald,	Rudisill,
Bower,	Gelfand,	McLaughlin,	Sakulsky,
Bowman,	Hamilton,	Markley,	Scarcelli,
Branca,	Helm,	Maxwell,	Schwarz,
Brenninger,	Henzel,	McKeever,	Sherman,
Capano,	Hocker,	Mehoichick,	Shupnik,
Capitolo,	Holt,	Mihm,	Silverman,
Cianfrani,	Irvis,	Miller, H. G.,	Stank,
Cioffi,	Isaacs,	Mills,	Steckel,
Clarke,	Johnson, R.,	Monroe,	Stevens,
Comer,	Jones, F. R.,	Muldowney,	Stimmel,
Crossin,	Jones, T. H. W.,	Mullen,	Stone,
Curwood,	Jump,	Munley,	Stoner,
Dengler,	Kamyk,	Murphy, P. J.,	Taylor,
Dennis,	Kernaghan,	Musto,	Varallo,
Devlin,	Kornick,	Naugle,	Verona,
Dougherty,	Korns,	Needham,	Wargo,
Ellberg,	Kovolenko,	O'Donnell, J. A.,	Whittaker,
Fetterolf,	Kubitsky,	O'Donnell, J. P.,	Willaredt,
Filo,	Lamb,	Ogilvie,	Yatron,
Fineman,	Leonard,	Parlante,	Yetter,
Floyd,	Limper,	Pashley,	Andrews,
Flynn,	Lippincott,	Perry, P. E.,	
Foerster,	Lopresti,	Petrosky,	Speaker

## NAYS—67

Balthaser,	Goodrich,	Mahan,	Stewart,
Barton,	Gramlich,	Merry,	Strausser,
Bell,	Heffner,	Miller, B. Z.,	Stroup,
Breth,	Holliday,	Murphy, A. J., Jr.	Tompkins,
Buchanan,	Horst,	Murray, H. P.,	Trusio,
Burns,	Jim,	Nelson,	Varnier,
Davis,	Johnson, A. W.,	O'Neill,	Wall,
Dennison,	Kee,	Perry, H. H.,	Walsh,
Donahue,	Keiser,	Polen,	Weidner,
Donaldson,	Kessler,	Price,	Wescott,
Edwards,	Kooker,	Pursley,	Williams, A.D., Jr.,
Eshback,	Lee, A. M.,	Reibman,	Williams, E. S.,
Eshleman,	Lee, K. B.,	Renwick,	Wood,
Ewing,	Light,	Royer,	Worley,
Fox,	McCandless,	Seltzer,	Wynd,
Fulmer,	McInroy,	Snare,	Zimmerman,
Goldstein,	Machmer,	Snider,	

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavy,	Odoriso,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1416, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—111

Anderson,	Frank,	Luigard,	Polaski,
Arlene,	Frascella,	Lutty,	Prendergast,
Boles,	Galley,	McCann,	Riley,
Bonner,	Gallagher,	McCormack,	Rovansek,
Boris,	Garlock,	McDonald,	Rudisill,
Bower,	Gelfand,	McKeever,	Sakulsky,
Bowman,	Hamilton,	McLaughlin,	Scarcelli,
Branca,	Helm,	Markley,	Schaaf,
Brenninger,	Henzel,	Maxwell,	Schwartz,
Capano,	Hocker,	Mehoichick,	Sherman,
Capitolo,	Holt,	Mihm,	Shupnik,
Cianfrani,	Irvis,	Miller, H. G.,	Silverman,
Cioffi,	Isaacs,	Mills,	Stank,
Clarke,	Johnson, R.,	Monroe,	Steckel,
Comer,	Jones, F. R.,	Muldowney,	Stevens,
Crossin,	Jones, T. H. W.,	Mullen,	Stimmel,
Curwood,	Jump,	Munley,	Stone,
Dengler,	Kamyk,	Murphy, P. J.,	Stoner,
Dennis,	Kernaghan,	Musto,	Taylor,
Devlin,	Kornick,	Naugle,	Varallo,
Dougherty,	Korns,	Needham,	Verona,
Ellberg,	Kovolenko,	O'Donnell, J. A.,	Wargo,
Fetterolf,	Kubitsky,	O'Donnell, J. P.,	Whittaker,
Filo,	Lamb,	Ogilvie,	Willaredt,
Fineman,	Leonard,	Parlante,	Yatron,
Floyd,	Limper,	Pashley,	Yetter,
Flynn,	Lippincott,	Perry, P. E.,	Andrews,
Foerster,	Lopresti,	Petrosky,	Speaker

## NAYS—67

Balthaser,	Goodrich,	Mahan,	Stewart,
Barton,	Gramlich,	Merry,	Strausser,
Bell,	Heffner,	Miller, B. Z.,	Stroup,
Breth,	Holliday,	Murphy, A. J., Jr.	Tompkins,
Buchanan,	Horst,	Murray, H. P.,	Trusio,
Burns,	Jim,	Nelson,	Varnier,
Davis,	Johnson, A. W.,	O'Neil,	Wall,
Dennison,	Kee,	Perry, H. H.,	Walsh,
Donahue,	Keiser,	Polen,	Weidner,
Donaldson,	Kessler,	Price,	Wescott,
Edwards,	Kooker,	Pursley,	Williams, A.D., Jr.,
Eshback,	Lee, A. M.,	Reibman,	Williams, E. S.,
Eshleman,	Lee, K. B.,	Renwick,	Wood,
Ewing,	Light,	Royer,	Worley,
Fulmer,	McCandless,	Seltzer,	Wynd,
Goldstein,	McInroy,	Snare,	Zimmerman,
	Machmer,	Snider,	

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavy,	Odoriso,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 1456, Printer's No. 1043, was passed over at the request of Mr. McCANN.

House Bill No. 1457, Printer's No. 1044, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1458, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095) adding a penalty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boies,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Hamilton,	Markley,	Shupnik,
Bowman,	Heffner,	Maxwell,	Silverman,
Branca,	Helm,	Meholchick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Kessler,	Mihm,	Stank,
Buchanan,	Hocker,	Miller, B. Z.,	Steckel,
Burns,	Holliday,	Miller, H. G.,	Stevens,
Capano,	Holt,	Mills,	Stewart,
Capitolo,	Horst,	Monroe,	Stimmel,
Cianfrani,	Iris,	Muldowney,	Stone,
Cioffi,	Isaacs,	Mullen,	Stoner,
Clarke,	Jim,	Munley,	Strausser,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stroup,
Crossin,	Johnson, R.,	Murphy, P. J.,	Taylor,
Curwood,	Jones, F. R.,	Murray, H. P.,	Tompkins,
Davis,	Jones, T. H. W.,	Musto,	Trusio,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Varner,
Dennison,	Kee,	Nelson,	Verona,
Devlin,	Keiser,	O'Donnell, J. A.,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kooker,	Ogilvie,	Wargo,
Dougherty,	Kornick,	O'Neil,	Weldner,
Edwards,	Korns,	Parlante,	Wescott,
Eilberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,	Rovansek,	

#### NAYS—0

#### NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenschild,	O'Dell,	Welsh,
Brown,	Heavy,	Odoristo,	Wheeler,

Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 1459, Printer's No. 1046, and

House Bill No. 1465, Printer's No. 1077,

were passed over at the request of the SPEAKER.

The SPEAKER. When the Chair asks will the House agree to the bill on third reading, the usual pause is for anyone who wants to offer any amendments, offer any objections or make any observations as to the roll call to do so.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1466, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies contracts or certificates of insurance by the Insurance Commissioner.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—137

Anderson,	Floyd,	McCann,	Reibman,
Arlene,	Flynn,	McCormack,	Renwick,
Balthaser,	Foerster,	McDonald,	Riley,
Bell,	Frank,	McKeever,	Rovansek,
Boies,	Frascella,	McLaughlin,	Royer,
Bonner,	Galley,	Mahan,	Rudisill,
Boris,	Gallagher,	Markley,	Sakulsky,
Bower,	Garlock,	Maxwell,	Scarcelli,
Bowman,	Gelfand,	Meholchick,	Schaaf,
Branca,	Goldstein,	Mihm,	Schwartz,
Brenninger,	Hamilton,	Miller, H. G.,	Sherman,
Breth,	Helm,	Mills,	Shupnik,
Burns,	Henzel,	Monroe,	Silverman,
Capano,	Holt,	Muldowney,	Snider,
Capitolo,	Iris,	Mullen,	Stank,
Cianfrani,	Isaacs,	Munley,	Steckel,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.	Stevens,
Clarke,	Johnson, R.,	Murphy, P. J.,	Stewart,
Comer,	Jones, F. R.,	Musto,	Stimmel,
Crossin,	Jones, T. H. W.,	Naugle,	Stone,
Curwood,	Jump,	Needham,	Stoner,
Dengler,	Kamyk,	Nelson,	Taylor,
Dennis,	Kee,	O'Donnell, J. A.,	Trusio,
Dennison,	Kernaghan,	O'Donnell, J. P.,	Varallo,
Devlin,	Kornick,	Ogilvie,	Varner,
Donahue,	Korns,	O'Neil,	Verona,
Donaldson,	Kovolenko,	Parlante,	Wargo,
Dougherty,	Kubitsky,	Pashley,	Whittaker,
Eilberg,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Leonard,	Petrosky,	Willaredt,
Eshleman,	Limper,	Polaski,	Yatron,
Ewing,	Lippincott,	Polen,	Yetter,
Fetterolf,	Lopresti,	Prendergast,	Andrews,
Filo,	Luigard,	Pursley,	Speaker
Fineman,	Lutty,		

#### NAYS—41

Barton,	Horst,	Machmer,	Tompkins,
Buchanan,	Jim,	Merry,	Wall,
Davis,	Keiser,	Miller, B. Z.,	Walsh,

Edwards, Fox, Fulmer, Goodrich, Gramlich, Heffner, Hocker, Holliday,	Kessler, Kooker, Lee, A. M., Lee, K. B., Light, McCandless, McInroy,	Murray, H. P., Perry, H. H., Price, Seltzer, Snare, Strausser, Stroup,	Weldner, Wescott, Williams, E. S., Wood, Worley, Wynd, Zimmerman,
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## NOT VOTING—31

Agnew, Ashton, Auker, Blair, Brown, Cooper, Down, Farabaugh,	George, Gibb, Guthrie, Haudenshield, Heavey, Jenkins, Knecht, Magee,	Moran, Murray, J. J., Murray, P. G., O'Dell, Odorisio, Reidenbach, Rigby, Schuster,	Sullivan, Thompson, Ujobai, Welsh, Wheeler, Willard, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1488, entitled:

An Act amending the act of April 22, 1953 (P. L. 184) entitled "An act to continue the imposition of the tax on gross premiums \* \* \* by foreign insurance companies associations and exchanges" further providing for the distribution of amounts received from tax on foreign fire insurance companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Anderson, Arlene, Balthaser, Barton, Bell, Boies, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd,	Fulmer, Galley, Gallagher, Garlock, Gelfand, Goldstein, Goodrich, Gramlich, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price,	Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmell, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weldner, Wescott, Whittaker, Williams, A.D., Jr., Williams, E. S., Willaredt, Wood, Worley, Wynd, Yatron,
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Flynn, Foerster, Fox, Frank, Frascella,	Lippincott, Lopresti, Luigard, Lutty, McCandless,	Pursley, Reibman, Renwick, Riley, Rovanseck,	Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—31

Agnew, Ashton, Auker, Blair, Brown, Cooper, Down, Farabaugh,	George, Gibb, Guthrie, Haudenshield, Heavey, Jenkins, Knecht, Magee,	Moran, Murray, J. J., Murray, P. G., O'Dell, Odorisio, Reidenbach, Rigby, Schuster,	Sullivan, Thompson, Ujobai, Welsh, Wheeler, Willard, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1528, Printer's No. 1131, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1566, entitled:

An Act amending the "Orphans' Court Act of 1951" approved August 10, 1951 (P. L. 1163) conferring exclusive jurisdiction of control of decedent's burial on the orphans' court and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Anderson, Arlene, Balthaser, Barton, Bell, Boies, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd,	Fulmer, Galley, Gallagher, Garlock, Gelfand, Goldstein, Goodrich, Gramlich, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H.,	Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmell, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weldner, Wescott, Whittaker, Williams, A.D., Jr.,
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Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	f.peaker
Frascella,	McCandless,	Rovansek,	

## NAYS—0

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odoristo,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1578, Printer's No. 1004, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1609, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388) entitled as amended "An act relating to the practice procedure regulations and adjudications of departments departmental administration boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof \* \* \* providing for the applicability of the act to regulations of the Department of Public Welfare and removing from the coverage of the act the State Welfare Commission and the State Board of Public Assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—178

Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boies,	Goldstein,	McLaughlin,	Schwartz,
Bonner,	Goodrich,	Machmer,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Hamilton,	Markley,	Shupnik,
Bowman,	Hefner,	Maxwell,	Silverman,
Branca,	Helm,	Mehoichick,	Snare,
Brenninger,	Henzel,	Merry,	Snider,
Breth,	Hocker,	Mihm,	Stank,
Buchanan,	Holliday,	Miller, B. Z.,	Steckel,
Burns,	Holt,	Miller, H. G.,	Stevens,
Capano,	Horst,	Mills,	Stewart,
Capitolo,	Irviss,	Monroe,	Stimmel,
Cianfrani,	Isaacs,	Muldowney,	Stone,
Cioffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Strausser,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,

Curwood,	Jones, T. H. W.,	Murray, H. P.,	Tompkins,
Davis,	Jump,	Musto,	Trusio,
Dengler,	Kamyk,	Naugle,	Varallo,
Dennis,	Kee,	Needham,	Varnier,
Dennison,	Keiser,	Nelson,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Wall,
Donahue,	Kessler,	O'Donnell, J. P.	Walsh,
Donaldson,	Kooker,	Ogilvie,	Wargo,
Dougherty,	Kornick,	O'Neil,	Weidner,
Edwards,	Korns,	Parlante,	Wescott,
Ellberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willaredt,
Fetterolf,	Lee, K. B.,	Polaski,	Wood,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lippincott,	Pursley,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,	Rovansek,	

## NAYS—0

## NOT VOTING—31

Agnew,	George,	Moran,	Sullivan,
Ashton,	Gibb,	Murray, J. J.,	Thompson,
Auker,	Guthrie,	Murray, P. G.,	Ujobai,
Blair,	Haudenshield,	O'Dell,	Welsh,
Brown,	Heavey,	Odoristo,	Wheeler,
Cooper,	Jenkins,	Reidenbach,	Willard,
Down,	Knecht,	Rigby,	Wilt,
Farabaugh,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1621, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned rebuilt or used weighing or measuring devices regulating the conduct of such business and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—159

Anderson,	Fox,	Lutty,	Riley,
Arlene,	Frank,	McCann,	Rovansek,
Balthaser,	Frascella,	McCormack,	Royer,
Barton,	Fulmer,	McDonald,	Rudisill,
Bell,	Galley,	McInroy,	Sakulsky,
Boies,	Gallagher,	McKeever,	Scarcelli,
Bonner,	Garlock,	McLaughlin,	Schaaf,
Boris,	Gelfand,	Machmer,	Schwartz,
Bower,	Goldstein,	Markley,	Sherman,
Bowman,	Gramlich,	Maxwell,	Shupnik,
Branca,	Hamilton,	Mehoichick,	Silverman,
Brenninger,	Heffner,	Mihm,	Snare,
Breth,	Helm,	Miller, B. Z.,	Snider,
Buchanan,	Henzel,	Miller, H. G.,	Stank,
Burns,	Holliday,	Mills,	Steckel,
Capano,	Holt,	Monroe,	Stevens,
Capitolo,	Irviss,	Muldowney,	Stewart,
Cianfrani,	Jim,	Mullen,	Stimmel,
Cioffi,	Johnson, A. W.,	Munley,	Stone,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.	Stoner,
Comer,	Jones, F. R.,	Murray, H. P.,	Taylor,
Crossin,	Jones, T. H. W.,	Musto,	Tompkins,
	Jump,	Naugle,	Trusio,
	Kamyk,	Needham,	Varallo,
	Kee,	Nelson,	Varnier,

Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster,	Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Luigard,	O'Donnell, J. A., O'Donnell, J. P., O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick,	Verona, Wall, Walsh, Wargo, Weidner, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wood, Worley, Yatron, Yetter, Andrews, Speaker
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## NAYS—19

Davis, Dennison, Goodrich, Hocker, Horst,	Isaacs, Keiser, Lippincott, McCandless, Mahan,	Merry, Murphy, P. J., Ogilvie, Seltzer, Strausser,	Stroup, Wescott, Wynd, Zimmerman,
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## NOT VOTING—31

Agnew, Ashton, Auker, Blair, Brown, Cooper, Down, Farabaugh,	George, Gibb, Guthrie, Haudenshield, Heavey, Jenkins, Knecht, Magee,	Moran, Murray, J. J., Murray, P. G., O'Dell, Odorisio, Reidenbach, Rigby, Schuster,	Sullivan, Thompson, Ujobai, Welsh, Wheeler, Willard, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1652, Printer's No. 1089, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1654, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) increasing the rate and regulating the taxing of house trailers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—153

Anderson, Arlene, Balthaser, Barton, Boies, Bonner, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Davis,	Gallagher, Garlock, Gelfand, Goldstein, Goodrich, Gramlich, Hamilton, Helm, Henzel, Hocker, Holt, Irviss, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk,	McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Murphy, P. J., Murray, H. P.,	Sakulsky, Scarcelli, SchAAF, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Thompson,
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Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Ellberg, Eshleman, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Galley,	Kee, Kelser, Kernaghan, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Musto, Naugle, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Reibman, Riley, Rovasek, Royer, Rudisill,	Tompkins, Trusio, Varallo, Verona, Wall, Walsh, Weidner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—25

Bell, Boris, Crossin, Curwood, Edwards, Eshback, Ewing,	Fulmer, Heffner, Holliday, Horst, Kessler, Lamb,	McInroy, Munley, Murphy, A. J., Jr., Needham, O'Neill, Petrosky,	Price, Pursley, Renwick, Varner, Wargo, Worley,
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## NOT VOTING—31

Agnew, Ashton, Auker, Blair, Brown, Cooper, Down, Farabaugh,	George, Gibb, Guthrie, Haudenshield, Heavey, Jenkins, Knecht, Magee,	Moran, Murray, J. J., Murray, P. G., O'Dell, Odorisio, Reidenbach, Rigby, Schuster,	Stroup, Taylor, Ujobai, Welsh, Wheeler, Willard, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

The SPEAKER. Without objection, the remaining bills on page 24, all bills on pages 25 and 26 except House Bill No. 1859 will be passed over.

The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1859, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) prohibiting the erection and maintenance of signs or signals limiting the speed in school zones unless certain information is on the same.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

## BILLS PASSED OVER

The SPEAKER. Without objection, all bills on page 27 and House Bills Nos. 1915, 1919, 1953 and 1954 will be passed over.

The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1984, entitled:



An Act relating to the payment of wages or compensation for labor or services in private employment providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages  
\* \* \*

On the question,

Will the House agree to the bill on third reading?

Messrs. WELSH and GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 3, page 2, lines 19 and 20, by striking out "fourteen days" and inserting: "semi-monthly."

Amend Sec. 8, page 4, line 16, by striking out "and hold hearings on"

Amend Sec. 9, page 5, lines 15 and 16, by striking out "or fails to comply with"

Amend Sec. 10, page 6, lines 4 to 10, by striking out "For each day beyond the regularly" in line 4, all of lines 5 to 10, and inserting: "Where wages remain unpaid for thirty days beyond the regularly scheduled pay day, the employe shall be entitled to claim, in addition, as liquidated damages an amount equal to the amount of the claim still unpaid: Provided, however, That the amount of such liquidated damages shall not exceed two hundred dollars (\$200) or six per centum of the claim whichever is greater."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

The SPEAKER. Without objection, House Bill No. 1999, all bills on page 29 and House Bill No. 2026 will be passed over.

The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2066, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) providing for the disposition of certain fines penalties and bail forfeitures.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Mr. ISAACS. Mr. Speaker, I am not here to oppose the motion. I am here to ask the Appropriations Committee to consider this bill very carefully and re-report it to the floor of the House of Representatives so that the other 66 counties of this Commonwealth may enjoy the same privileges as the great County of Philadelphia, that they may

keep the fines under the Motor Vehicle Trailer-Tractor Code in summary convictions the same as the County of Philadelphia.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

#### BILLS PASSED OVER

The SPEAKER. Without objection, the remaining bills on today's Calendar will be passed over.

The Chair hears none.

#### REPORT OF COMMITTEE ON COMMITTEES

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 22, 1959.

Resolved, That in compliance with the provisions of Rule 27 of the House, it is recommended that the Members named herein be and are hereby elected Members of the Standing Committees of the House of Representatives as designated:

Professional Licensure

Jones, Frances R. vice Holt, Herbert

Public Health and Sanitation

Jones, Frances R. vice Jones, Granville E.

Insurance

Jones, Frances R. vice Jones, Granville E.

State Government

McCormack, Thomas J. vice Jones, Granville E.

Banking and Building and Loan Associations

Bell, Clarence D. vice Gibson, Allen M.

Public Utilities and Corporations

Willaredt, Herman B. vice Gibson, Allen M.

Ways and Means

Guthrie, W. Mack vice Gibson, Allen M.

Respectfully submitted by the Committee on Committees:

ROBERT WHEELER, JR., Chairman

JAMES J. DOUGHERTY

MARTIN J. TAYLOR

DAVID M. BOIES

WALTER T. KAMYK

HARRIS G. BRETH

A. V. CAPANO

BAKER ROYER

BLAINE C. HOCKER

HARRY W. PRICE, JR.

Speaker of the House, Ex-Officio

The SPEAKER. The Speaker appoints the gentleman from Philadelphia, Mr. Holt, vice chairman of the Committee on Professional Licensure to replace the late Granville E. Jones of Philadelphia.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, for the information of the Members, yesterday I stated that as to Senate Bill 405, on second reading, amendments would be handled on Monday. We are going in at 4:30 p. m. on Monday. It is estimated that there will not be sufficient time on Monday to handle the number of amendments that are now proposed to Senate Bill 405. On Tuesday, Senate Bill 405 will be handled on this floor, beginning from the regular scheduled time, which is 12 noon, to however long it may take. No time limit set. Satisfactory?

#### RESOLUTIONS

Mr. A. D. WILLIAMS offered a resolution which was filed with the Clerk, and requested permission to have the following remarks noted in the Journal.

The SPEAKER. Permission is granted.

Mr. A. D. WILLIAMS. It seems to me that it is time that William L. Batt, Jr., Secretary of Labor and Industry, explains to the General Assembly why he has failed to check all of the state-owned Teachers Colleges and some other state-owned property, like the State Museum next door to us, for dangerous fire conditions.

He was quick enough to investigate elementary and secondary schools and insisted that some of them be closed. I am not for a minute intimating that they should not have been carefully inspected and hazardous conditions brought to the attention of the public. We all want to be sure that our schools are safe for our children.

But why is the Secretary so loath to take a look at the state-owned Teachers Colleges? Or the Capitol itself and the Museum next door? More than 15,000 students attend our Teachers Colleges and some live in "Fire Traps."

Could his reluctance come from the desire of the Lawrence Administration to face up to the failure of the Leader Administration to do anything practical about the old buildings on the campuses of all fourteen of the colleges? Could it be that they would prefer to bury the whole problem and not face up to it?

It certainly seems to me that there must be some reason that the Secretary of Labor and Industry could have been so aggressive in the field of public schools and ignore the State Teachers Colleges and the State buildings here on the hill. I would suggest that it is time that the House looks into this situation through the appointment of a special committee with authority to call the Secretary before it and then report the findings to the House for corrective action.

I understand that the Department of Public Instruction made a hasty survey of the Teachers Colleges and found that more than thirty-five hundred students would be sent home through the condemnation of fire hazardous dormitories and unsafe classrooms. Perhaps the real reason the Administration is not interested in arousing the ire of these students and their families is for political reasons. Perhaps they would prefer to risk a serious fire before they make a move.

I am sending to the desk a resolution providing for a special committee to look into what could become a major tragedy unless the situation is immediately corrected. I am sure that no member of this House, on either side of the aisle, wants to be responsible for the possible death by fire of any of the young people of the Commonwealth preparing to teach in the public schools of Pennsylvania.

Mr. CURWOOD offered a resolution which was filed with the Clerk under the Rules.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 90.

An Act permitting the completion of baseball games in cities of the first second second class A or third class and townships of the first class notwithstanding provisions to the contrary.

HOUSE BILL No. 260.

An Act creating and establishing the Legislative Budget and Finance Committee providing for its membership prescribing its powers, functions and duties providing for the appointment of a legislative analyst, clerical, legal, accounting and other personnel and making an appropriation.

HOUSE BILL No. 605.

An Act authorizing the Department of Property and Supplies to convey a certain parcel of land situate in Bear Creek Township, Luzerne County, Pennsylvania, in exchange for another parcel of land situate in Bear Creek Township, County of Luzerne.

HOUSE BILL No. 892.

An Act amending the act of July 10, 1935 (P. L. 645) entitled "An act imposing certain requirements on certain hospitals receiving State aid, authorizing the withholding of appropriations and imposing duties on the Department of Welfare" regulating the availability of doctors at all hospitals.

HOUSE BILL No. 1453.

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" further regulating contract procedures.

HOUSE BILL No. 1684.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" by imposing a charge of five dollars (\$5.00) for each item of issue covered by each uncollectible check.

HOUSE BILL No. 1689.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" by requiring operators to obey traffic signals and signs and eliminating reference to "through traffic."

HOUSE BILL No. 1690.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code," by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains and providing an exception for public utility vehicles under certain circumstances.

HOUSE BILL No. 1809.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Highways the Secretary of Public Welfare and the Governor to grant easements over certain lands situate in the Borough of Emsworth, County of Allegheny.

HOUSE BILL No. 1878.

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing a method of paying service increments from the pension fund to employes of the city after retirement.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### ADJOURNMENT

Mr. YETTER. Mr. Speaker, I move that this House do now adjourn until Monday, July 27, 1959, at 3:30 p. m.,

The motion was agreed to, and (at 4:13 p. m., EST), the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, JULY 27, 1959.

No. 71.

## SENATE

MONDAY, JULY 27, 1959

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. R. H. REID, JR., Pastor of Payne Chapel, African Methodist Episcopal Church, Duquesne, offered the following prayer:

All dominion, majesty and glory belongeth unto God. Before Him now, we come to pray.

God of light, God of right, infuse in us Thy nature. May we be instruments and agencies by which order and discipline may come into being. May we be constantly aware that we, and Thy whole universe, are important to Thee. May our judgment and decision reflect light and right. May our outlook and upward look balance and create a proper perspective for all issues of life.

May our mental and physical health be of such character that we are best able to create a healthy climate for the discharge of responsibilities and duties entrusted to us. May all be tempered with a spiritual quality, likened unto the nature of our Creator.

Bless this day; bless this house; bless our Chief Executive of this Commonwealth; bless each constituent in this Assembly; yea, bless and preserve all that is good, positive and wholesome.

May our accomplishments of this day not only have our personal approval, but the divine approbation of God.

In the Name of Jesus, the Christ, and with faith in God, we petition our cause. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

## APPROVAL OF SENATE BILLS Nos. 137, 232, 885 and 886

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 137, Printer's No. 1068, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' prescribing penalties for furnishing false information to political subdivision officers and employees and to officers and employees of places of assembly."

DAVID L. LAWRENCE.

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 232, Printer's No. 249, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' providing for guaranteed arrest bond certificates issued by insurance companies and by automobile clubs or associations and for sureties thereon and defining the use and effect thereof."

DAVID L. LAWRENCE.

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 885, Printer's No. 1040, entitled "An Act amending the act of May 4, 1959 (Act No. 39) entitled 'Korean Conflict Veteran's Compensation Bond Act' by further regulating the bonds and interest."

DAVID L. LAWRENCE.

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 886, Printer's No. 1041, entitled "An Act amending the act of July 8, 1957 (P. L. 594) entitled 'Pennsylvania Cigarette Tax Act of 1957' pledging the full faith and credit of the Commonwealth."

DAVID L. LAWRENCE.

He also presented communication in writing from His Excellency, the Governor, which was read as follows:

## APPROVAL OF SENATE CONCURRENT RESOLUTION, RECALLING FROM THE GOVERNOR SENATE BILL No. 328

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the Senate Concurrent Resolution



recalling from the Governor Senate Bill No. 328, Printer's No. 353, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

The PRESIDENT. The bill will be laid on the table.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Matthew Francis Gutowicz, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Barrett, 510 Jefferson Street, Pottsville, Schuylkill County, for reappointment as a member of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE COUNCIL OF CIVIL DEFENSE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank G. McCartney, Commissioner of the Pennsylvania State Police, Lansford, Carbon County, for appointment as a member of the State Council of Civil Defense, until the third Tuesday of January 1963.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George F. Miller, 104 West Second Avenue, Latrobe, Westmoreland County, for appointment as a member of the Board of Trustees of Torrance State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice John W. Stader, Latrobe.

DAVID L. LAWRENCE.

#### COMMISSIONER OF DEEDS

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Mrs. Maria O'Neill, 631—81st Street, Brooklyn 9, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from August 12, 1959.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Francis Henry McCabe, Ford City, Armstrong County, for appointment as a member of the Board of Trustees of Clarion State Teachers' College, from June 21, 1957, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Urbani, Wynnewood, Montgomery County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, from June 24, 1958, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Bertha M. Mish, R. D. 3, Myerstown, Lebanon County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, vice Wilbur L. Glass, Adamstown, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse D. Reber (Republican), 3401 Cloverfield Road, Harrisburg, Dauphin County, for reappointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1963, or until his successor shall have been duly appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeanne A. Smith (Democrat), Oil City, Venango County,

for appointment as a member of the Venango County Board of Assistance, from January 10, 1958, until December 31, 1959, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BUCKS COUNTY  
BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel D. Atkinson (Democrat), 113 East Oakland Avenue, Doylestown, Bucks County, for appointment as a member of the Bucks County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Winifred M. Clymer, Southampton, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE FULTON COUNTY  
BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Fulton County Board of Assistance:

Mrs. Marie S. Mellott (Democrat), R. D. 1, McConnellsburg, Fulton County, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Ethel Decker, McConnellsburg, whose term expired.

Miss Helen Edwards (Democrat), Waterfall, Fulton County, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Blanche S. Hollenshead, Needmore, resigned.

Rev. J. Carl Williams (Democrat), McConnellsburg, Fulton County, until December 31, 1961, and until his successor is duly appointed and qualified, vice Howard L. Sipes, Harrisonville, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR  
HOUSE BILL No. 1427

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, July 21, 1957.

Resolved (if the Senate concur), That House Bill No. 1427, Printer's No. 702, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), permitting council to request that a certified check accompany bids for contracts.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 95 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 95, entitled:

An Act amending the act of April 29, 1959 (P. L. 32)

entitled "The Vehicle Code" authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 655 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 665, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," further regulating the security required for deposits of State moneys.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 90

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 90, entitled:

An Act permitting the completion of baseball games in cities of the first class notwithstanding provisions to the contrary.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 605

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 605, entitled:

An Act authorizing the Department of Property and Supplies to convey a certain parcel of land situate in Bear Creek Township, Luzerne County, Pennsylvania in exchange for another parcel of land situate in Bear Creek Township, County of Luzerne.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 892

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 892, entitled:

An Act amending the act of July 10, 1935 (P. L. 645), entitled "An Act imposing certain requirements on certain hospitals receiving State aid; . . ." regulating the attendance of doctors at all hospitals.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1453

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1453, entitled:

An Act amending "The Third Class City Code," ap-



proved June 23, 1931 (P. L. 932), regulating contract procedures and advertising for bids.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1684

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1684, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), by imposing a charge of five dollars (\$5.00) for each item of issue covered by each uncollectible check.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1689

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1689, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), by requiring operators to obey traffic signals and signs and eliminating references to "through traffic."

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1690

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1690, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1809

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1809, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Highways, the Secretary of Public Welfare and the Governor, to grant easements over certain lands situate in the Borough of Emsworth, County of Allegheny.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1878

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1878, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of such pensions," providing a method of paying service increments from the pension fund to employes of the city after retirement.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 354, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159) authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

Which was committed to the Committee on Local Government.

House Bill No. 398, entitled:

An Act amending "The Tractor Code," approved May 1, 1929 (P. L. 1005), providing for the issuance of permits for the movement of certain equipment of excessive size or weight.

Which was committed to the Committee on Highways.

House Bill No. 588, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) authorizing cities, boroughs, towns and townships to erect and maintain traffic control signals in the vicinity of fire stations.

Which was committed to the Committee on Highways.

House Bill No. 677, entitled:

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; \* \* \*" changing penalties.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 867, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 879, entitled:

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; . . . requiring certain information and reports and prescribing penalties," extending the provisions of the act.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 959, entitled:

An Act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and boundary lakes and boundary rivers of the Commonwealth.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 982, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050) requiring tax collectors

to include additional information when making statements for taxes collected.

Which was committed to the Committee on Local Government.

House Bill No. 1071, entitled:

An Act amending "An act to consolidate, amend and revise the Penal Laws of the Commonwealth," approved June 24, 1939 (P. L. 872) regulating the advertisement of merchandise offered for sale by certain businesses.

Which was committed to the Committee on Law and Order.

House Bill No. 1142, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for construction contracts and stipulations for minimum wages.

Which was committed to the Committee on Education.

House Bill No. 1154, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles, authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

Which was committed to the Committee on Highways.

House Bill No. 1155, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) regulating the use and sale of brake linings, providing penalties for violations thereof and prescribing powers and duties of the Secretary of Revenue.

Which was committed to the Committee on Highways.

House Bill No. 1177, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law.

Which was committed to the Committee on Highways.

House Bill No. 1185, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), further regulating speed restrictions; fixing penalties and prescribing powers and duties of the Secretary of Highways.

Which was committed to the Committee on Highways.

House Bill No. 1186, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), authorizing the use of radiomicrowave equipment in timing speed, further regulating convictions and prescribing powers and duties of the Secretary of Revenue.

Which was committed to the Committee on State Government.

House Bill No. 1187, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

Which was committed to the Committee on Highways.

House Bill No. 1213, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), further regulating the payment of costs for the care of patients, and limiting liability for such payment.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1388, entitled:

An Act amending "The Insurance Company Law in 1921" approved May 17, 1921 (P. L. 682) requiring that policies of fire insurance issued by stock and mutual insurance companies, associations and exchanges contain standard policy provisions herein prescribed; prescribing penalties.

Which was committed to the Committee on Insurance.

House Bill No. 1411, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing counties to acquire for certain purposes by purchase, gift, exchange or condemnation real property or interests in real property in excess of present needs.

Which was committed to the Committee on Local Government.

House Bill No. 1415, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 21, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies; and prescribing penalties.

Which was committed to the Committee on Insurance.

House Bill No. 1416, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

Which was committed to the Committee on Insurance.

House Bill No. 1458, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), adding a penalty.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1460, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), changing the provisions relating to drainage.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1466, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682) subjecting domestic mutual fire insurance companies to the provisions thereof, requiring approval of policies, contracts or certificates of insurance by the Insurance Commissioner.

Which was committed to the Committee on Insurance.

House Bill No. 1488, entitled:

An Act amending the act of April 22, 1953 (P. L. 184)



entitled "An act to continue the imposition of the tax on gross premiums \* \* \*" by foreign insurance companies, associations and exchanges, further providing for the distribution of amounts received from tax on foreign fire insurance companies.

Which was committed to the Committee on Finance.

House Bill No. 1562 entitled:

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154) including the person of an incompetent within the provisions of the act, and providing for appointment of a co-guardian or succeeding guardian.

Which was committed to the Committee on Judiciary General.

House Bill No. 1566 entitled:

An Act amending the "Orphans' Court Act of 1951," approved August 10, 1951 (P. L. 1163), conferring exclusive jurisdiction of control of decedent's burial on the orphans court, and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

Which was committed to the Committee on Judiciary General.

House Bill No. 1577, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) providing for inspection of certain vehicles operated outside the State.

Which was committed to the Committee on Highways.

House Bill No. 1609, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388), entitled as amended "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; . . . providing for the applicability of the act to regulations of the Department of Public Welfare, and removing from the coverage of the act, the State Welfare Commission and the State Board of Public Assistance.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1621, entitled:

An Act authorizing the registration of persons engaged in the business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices; regulating the conduct of such business; and providing penalties.

Which was committed to the Committee on State Government.

House Bill No. 1654, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), increasing the rate and regulating the taxing of house trailers.

Which was committed to the Committee on Local Government.

House Bill No. 1800, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), permitting certain females to mix or serve liquor or malt or brewed beverages behind the bar.

Which was committed to the Committee on Law and Order.

House Bill No. 1839, entitled:

An Act authorizing cities of the second class to acquire for certain purposes, by purchase, gift, exchange or condemnation, real property or interests in real property in excess of present needs.

Which was committed to the Committee on Local Government.

House Bill No. 1980, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the marking and counting of ballots.

Which was committed to the Committee on Elections.

House Bill No. 2089, entitled:

An Act amending the act of May 2, 1929 (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; \* \* \*" changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits and inspections.

Which was committed to the Committee on State Government.

House Bill No. 2134, entitled:

An Act amending the act of June 11, 1879 (P. L. 147), entitled "An act fixing the compensation of persons called to serve as coroner's jurors, in this Commonwealth," increasing the compensation of certain coroner's jurors.

Which was committed to the Committee on Local Government.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 260

He also presented communication from the House of Representatives, informing the Senate that the Committee of Conference, appointed on the part of the House, has been discharged, the House has receded from its non-concurrence in amendments made by the Senate and has concurred in amendments made by the Senate to House Bill No. 260, entitled:

An Act creating and establishing the Legislative Budget and Finance Committee; providing for its membership; prescribing its powers, functions and duties. \* \* \*.

#### COMMITTEE OF CONFERENCE ON HOUSE BILL No. 260 DISCHARGED

Mr. PECHAN. Mr. President, I move that the Committee of Conference on House Bill No. 260, Printer's No. 849, appointed on behalf of the Senate, be discharged.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 90, Printer's No. 1032;

House Bill No. 122, Printer's No. 855;

House Bill No. 260, Printer's No. 849;

House Bill No. 605, Printer's No. 889;  
 House Bill No. 892, Printer's No. 998;  
 House Bill No. 1453, Printer's No. 881;  
 House Bill No. 1684, Printer's No. 883;  
 House Bill No. 1689, Printer's No. 1034;  
 House Bill No. 1690, Printer's No. 1031;  
 House Bill No. 1809, Printer's No. 890;  
 House Bill No. 1878, Printer's No. 955;  
 House Bill No. 1889, Printer's No. 971; and  
 House Bill No. 1890, Printer's No. 972.

### REPORT FROM COMMITTEE

Mr. KELLER, from the Committee on Education, reported as amended, Senate Bill No. 280, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

### MEMBER OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the Pennsylvania Historical and Museum Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

John G. Carney, 31 West Tenth Street, Erie, Erie County, to fill a vacancy.

DAVID L. LAWRENCE.

### BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 995, entitled:

An Act conferring the right on the Commissioner of the Pennsylvania State Police to enter into contracts for the sale of stories about the Pennsylvania State Police, and limiting the use of the moneys received from such contracts.

Which was committed to the Committee on State Government.

Mr. PECHAN, on behalf of Mr. BERGER, read in his place and presented to the Chair Senate Bill No. 996, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," changing compensation payable in certain instances.

Which was committed to the Committee on Labor and Industry.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 997, entitled:

An Act amending the act of June 24, 1937 (P. L. 2045),

entitled, as amended, "The Support Law," relieving wives of liability for support of husbands deserting them for a period of ten years.

Which was committed to the Committee on Judiciary General.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 998, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the closing of court houses and other county offices in counties of the third class on Saturdays.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 999, entitled:

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Norristown State Hospital.

Which was committed to the Committee on Appropriations.

Messrs. PROPERT and KESSLER read in place and presented to the Chair Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing penalty provisions for failure to file reports on time.

Which was committed to the Committee on Finance.

They also read in place and presented to the Chair Senate Bill No. 1001, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," requiring the Auditor General to perform audits of school districts to verify rights to reimbursements and imposing duties on the Department of Public Instruction.

Which was committed to the Committee on Education.

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," deleting a route in Hanover Township, Lehigh County.

Which was committed to the Committee on Highways.

Messrs. CHAPMAN and SARRAF read in place and presented to the Chair Senate Bill No. 1003, entitled:

An Act defining and regulating the practice of medical opticians; imposing duties in relation thereto upon the State Board of Medical Education and Licensure; prohibiting the practice of medical opticians without a license; providing for the issuance, renewal and revocation of licenses, and imposing penalties for violations.

Which was committed to the Committee on Education.

### SENATE CONCURRENT RESOLUTIONS

#### TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, July 27, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene



on Monday, August 3, 1959 at two o'clock P. M., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 3, 1959 at three-thirty o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

### SENATE RESOLUTIONS

#### EXTENDING CONDOLENCE OF THE SENATE UPON THE DEATH OF REPRESENTATIVE JOHN R. HAUDENSHIELD

Messrs. FLEMING, SARRAF, BARR, MCGINNIS, RIPP, KOPRIVER, JR., PROPERT, SCOTT, PECHAN, BERGER, SEYLER, VAN-SANT and LANE offered the following resolution (Serial No. 43), which was read, considered and agreed to:

In the Senate, July 27, 1959.

The people of Allegheny County deeply mourn the death of Representative John R. Haudenshield who died on July 27th after a long illness.

Born on September 10, 1888, a son of John E. and Mary Holmes (Burk) Haudenshield, he received his elementary education in the Scott Township schools, attended Carnegie High School, and was a graduate of the University of Pittsburgh. For many years he served as a director of the First Federal Savings and Loan Association of Pittsburgh.

Active in civil affairs he was a member of the State Board of Management of the Sons of the American Revolution, the Fairview Grange, and the Kiwanis Club of Carnegie.

A member of the House of Representatives at the time of his death, he was serving his tenth term as a member of that body.

He will long remain with us, not only because of his prowess as a businessman and Member of the General Assembly, but also for his contributions to the benevolence and well being of his fellow citizens. His entire life was dedicated to the service of his fellow men and he gave freely of his time and unreservedly of his effort; therefore be it

Resolved, That the Members of the Senate of Pennsylvania extend their deepest and most sincere sympathies, both individually and as a body, to the widow of Representative John R. Haudenshield; and be it further

Resolved, That a copy of this resolution be forwarded to his beloved wife, Ella Mae Haudenshield at 111 Ramsey Avenue, Carnegie, Pennsylvania.

#### EXTENDING CONDOLENCE OF THE SENATE UPON THE DEATH OF JUDGE HERBERT E. MILLEN

Messrs. WEINER, BERGER and SILVERT offered the following resolution (Serial No. 44), which was read, considered and agreed to:

In the Senate, July 27, 1959.

On Saturday, July 25, 1959, death brought to a close the career of Pennsylvania's first negro jurist, the Honorable Herbert E. Millen.

Judge Millen, a native of Lancaster County, graduated from Lincoln University, Oxford, Pennsylvania and the University of Pennsylvania Law School. His first public office was that of Deputy Attorney General during the Pinchot Administration. When he was appointed in 1940 to the position of Assistant Director of Public Safety in Philadelphia, he was the first of his race to attain a high position in the government of that city. Another first was scored by Judge Millen when the former Governor James H. Duff, appointed him to be the Philadelphia Municipal Court on October 29, 1947. Thereafter, he was elected to a ten-year term and this year nominated for another full term. Judge Millen's achievements and outstanding personal qualities marked him as an exemplary leader, jurist and citizen; therefore be it

Resolved, That each Member of the Senate extend his sympathies to his widow in her hour of loss and bereavement; and be it further

Resolved, That a copy of this resolution be sent to his widow, Mrs. Herbert E. Millen, 363 Pelham Road, Mount Airy, Pennsylvania.

#### URGING THE PENNSYLVANIA TURNPIKE COMMISSION AND THE COMMISSIONER OF THE PENNSYLVANIA STATE POLICE TO GIVE THEIR IMMEDIATE ATTENTION TO THE DELAYS AT THE LEHIGH TUNNEL ON THE NORTHEAST EXTENSION OF THE TURNPIKE

Mr. VAN SANT offered the following resolution (Serial No. 45), which was read, as follows:

In the Senate, July 27, 1959.

The Pennsylvania Turnpike is world known as one of the best highway systems. It was designed to cut the driving time between two points to a minimum; yet, there are times when it takes longer to travel via the turnpike than it does to travel by the toll free roads. This is especially true on the Northeast Extension where on a Sunday night the time it takes to drive from Scranton and the Pocono resort area to the Lehigh Valley is extended because of delays at the Lehigh Tunnel.

There are thousands of cars streaming southward on the two lanes which make up the south bound strip of the highway, but when they arrive at the tunnel they must be diverted into one lane. The north bound traffic is relatively light and delays are unknown. Something should be done to correct this situation.

We realize that the tunnel should be widened to three or four lanes but that wouldn't help the immediate problem. Instead, the Pennsylvania State Police who patrol the area and direct the traffic should be called upon to use a better system for moving traffic through the tunnel.

One method which could be employed would be to stop all north bound traffic which is light at the peak of south bound traffic and then allow the cars proceeding south to use both lanes of the tunnel for five or ten minutes. True, this would cause a slight delay for those heading north, but the number of people affected would be nothing compared to the number who have to suffer long delays now.

Another suggestion would be to increase the speed limit within the tunnel during the peak hours. This method has been used successfully in the tunnels connecting New York and New Jersey.

No matter what method is used, something certainly should be done, and it should be done as soon as possible. The problem occurs every Sunday night during the summer months and, if it continues, we will find less people using the toll road with a resultant loss of revenue and an overburdening of the other north-south highways; therefore be it

Resolved, That the Senate urge the Pennsylvania Turnpike Commission and the Commissioner of the Pennsylvania State Police to give their immediate attention to the delays which occur at the Lehigh Tunnel on the Northeast Extension of the turnpike; and be it further

Resolved, That a copy of this resolution be forwarded to the Commission and to the Commissioner of the Pennsylvania State Police.

Mr. VAN SANT asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

#### CONGRATULATING THE BOROUGH OF EMMAUS, IN LEHIGH COUNTY, ON THEIR CENTENNIAL CELEBRATION

Mr. VAN SANT offered the following resolution (Serial No. 46), which was read, considered and agreed to:

In the Senate, July 27, 1959.

August 2nd marks the beginning of the centennial celebration in the borough of Emmaus.

Just 100 years ago, the community became a borough and their progress hasn't been slowed since. At the time of its becoming a borough, the population was about 277 people; yet today, this proud little community which stands among the best in Lehigh County has an ever-expanding population of about 10,000 people. The fact that more people are moving into the community every-day is evidence that Emmaus is the kind of a town that people like to call home.

Actually, Emmaus is much older than 100 years. Documents show that in the 1730's, the area was quite thickly settled and, in 1742, a loghouse for worship was erected in the borough. The people who populated the area devoted themselves to God and, by 1758, they had established a closed congregational village. In the beginning, nobody but a member of the Moravian Church could lease a lot on which to build a house, but as time marched on and the young people married outside the church the town became open and a new era was born.

The middle and late 1800's brought the industrial revolution to Emmaus. Iron ore was discovered in the area and not long afterward the railroad was brought in to carry out the ore. With the advent of the railroad, Emmaus was soon known as a manufacturing and textile center. Today the community can be proud to say that they have helped in our rocket and missile age for it is in Emmaus that the Air Products Company which manufacture missile fuel has one of its main plants and the home office of this company is located nearby. As one looks back, he can see the gigantic transition from the age of iron ore to the age of missiles, yet this town was able to take it in stride because of the foresight of its public spirited citizens.

We, the Members of the Senate, take off our hats to the community of Emmaus because we are proud of the work you have done in the past 100 years; therefore be it

Resolved, That the Senate of Pennsylvania extend its heartiest congratulations to the borough of Emmaus in Lehigh County upon the advent of their centennial celebration; and be it further

Resolved, That we wish them the best of luck for the next 100 years, and we only hope that they will be as successful in developing their community during that time as they were during the past decade; and be it further

Resolved, That a copy of this resolution be forwarded to Theodore Iobst, the burgess of Emmaus and to the Emmaus Centennial Committee.

## REPORTS FROM COMMITTEE

Mr. SHAFER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAFER, from the Committee on State Government, reported as committed, Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

He also, from the Committee on State Government, reported as committed, House Bill No. 1936, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," designating the lake area on which motor boats may be operated.

## BILL INTRODUCED AND REFERRED

Mr. KELLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. KELLER and KROMER read in place and presented to the Chair Senate Bill No. 1004, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," transferring the power to issue special permits authorizing the movement of certain vehicles, or combinations thereof, of excessive weight and size or in the process of being manufactured, from the Secretary of Highways to the Commissioner of the Pennsylvania State Police.

Which was committed to the Committee on Highways.

## CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nomination reported at today's Session.

## EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's Session.

Which was agreed to.

The nomination was read as follows:

## MEMBER OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as a member of the Pennsylvania Historical and Museum Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

John G. Carney, 31 West Tenth Streer, Erie County, to fill a vacancy.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silver,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Welner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0



Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

### RECESS

Mr. BERGER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules, to be held in the office of the President pro tempore.

The PRESIDENT. Are there objections? The Chair hears no objection, and declares a five minute recess of the Senate.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

### REPORTS FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Rules, reported as committed, Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959," changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances.

He also, from the Committee on Rules, reported as committed, House Bill No. 141, entitled:

An Act imposing liability upon parents for the tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery.

### CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 170, Printer's No. 1053, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### REPORT OF COMMITTEE OF CONFERENCE RECOMMENDED

Mr. BERGER. Mr. President, I move that the Report of Committee of Conference on Senate Bill No. 309, Printer's No. 1164, entitled:

An Act relating to officers and employees of the General Assembly fix the number qualifications compensation mileage and duties of the officers and employees of the Senate and the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies fixing the salary of the Director of the Legislative Reference Bureau providing for compilation of lists of employees.

be recommitted to the Committee of Conference, appointed by the President pro tempore and the Speaker of the House.

Mr. FLEMING. I second the motion, Mr. President. The motion was agreed to.

### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 623, as follows:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" permitting civil defense directors to equip their vehicles with sirens.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill came up some time ago and we discussed it at quite some length. At that time, it was defeated. Since the bill has been back on the Calendar, I have received a letter from the State Police in regard to this matter. I do not want to take the lengthy time it would require to read the entire letter, but I would like to read just a few excerpts from it. If, after I read part of the letter, the Members see fit to vote on this matter, I think they should consider it very carefully before they do so.

The Commissioner of the State Police goes on to state that the reason he is opposed to this bill is because it would, first, provide 2,000 automobiles in this Commonwealth with sirens. Secondly, he feels the effect of a siren, as it is now heard, might be lost, with all these people using it. The third phase of this bill, about which the Commissioner is concerned, is that there are no particular laws governing the authority vested in the officials of the State Council of Civil Defense, and, therefore, it would not limit their right to use this siren. If they saw fit to use it at any other time, other than the regular time, nobody could say anything to them if they thought they were calling for a drill.

These two thousand people might be fine, wonderful, upstanding American citizens, but there may be some occasion when they might not be in full control of all their faculties. This might create some further problems.

Mr. President, I think this is an unnecessary piece of legislation. I think we should not do that which is unnecessary, when there are so many other important things before us.

Therefore, I would ask my colleagues to vote "no."

Mr. WALKER. Mr. President, I quite agree that the State Police may have some objections. However, if the Members of the Senate will read the bill, they will find that the siren can only be used in a practice test for the efficiency of the Civil Defense Unit in any municipality. Any other use would be clearly illegal.

We have now, and have had for a number of years, a Civil Defense Director in Pennsylvania; namely, Doctor Richard Gerstell. If this is such a bad bill, why does the Administration not bring Doctor Gerstell, one of its appointees, up to oppose the bill?

I am quite sure that everyone realizes the seriousness of civil defense. It is not a plaything. We are not granting Boy Scouts or Girl Scouts the right to run around with a whistle. This is a serious matter. It is a matter of life and death. I am really surprised that we have had the

difficulty in passing this bill which we have had.  
Therefore, Mr. President, I urge all members, on both sides of this august Body, to vote for its passage.

Mr. WEINER. Mr. President, the reason that Doctor Gerstell has not said anything in regard to this matter is that it is primarily a police matter. I think the question of putting sirens or not putting sirens on automobiles should be referred to the State Police, and let them give us their expert opinion in regard thereto.

Mr. President, I do not see where this bill would add anything or change anything. As I stated earlier, when the discussed this bill, if a catastrophe struck this Country, I am afraid there would not be much time for the sirens. The only thing sirens would do would provide a petty annoyance during the time when we do not have any kind of problems whatsoever.

And the question recurring,  
Shall the bill pass finally?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35			
Berger,	Fleming,	McMenamin,	Taylor,
Blass,	Harney,	Miller,	Van Sant,
Camiel,	Keller,	Pechan,	Wade,
Chapman,	Kessler,	Propert,	Wagner,
Confair,	Koprivier, Jr.,	Ripp,	Walker,
Donolow,	Kromer,	Sarraff,	Watkins,
Ehrgood,	Lane,	Scott,	Whalley,
Elliott,	Madigan,	Shafer,	Wolfe,
Flack,	Mallery,	Stevenson,	

NAYS—13			
Barr,	McCreesh,	Murray,	Silvert,
Hays,	McGinnis,	Ruth,	Stiefel,
Kalman,	Mullin,	Seyler,	Weiner,
Mahady,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.  
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 163, Printer's No. 954, on third reading, go over in its order.

The PRESIDENT. Is ther objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 272, entitled:

An Act requiring State licensing boards and agencies to give credit for training received in the armed services of the United States toward requirements for internship clerkship apprenticeship and other job training as a prerequisite to issuing a license.

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 321, Printer's No. 346; and  
House Bill No. 345, Printer's No. 695.

The PRESIDENT. Is there objection? The Chair hears none.

REQUEST THAT BILLS GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 471, Printer's No. 505;  
Senate Bill No. 472, Printer's No. 1008;  
Senate Bill No. 473, Printer's No. 507; and  
Senate Bill No. 684, Printer's No. 745.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, these bills have been on the Calendar for a good while, and they are bills which have been approved by the Department of Banking. Therefore, I believe it is now time that we bring these bills to a vote and I would object to their going over in order.

Mr. WEINER. Mr. President, I would just like to address myself to the objection made by Senator Berger.

There are a number of bills that have been on the Calendar much longer than these have been, and bills which are much more compelling than these which have received no action. If time is an element in moving these bills,—and that seems to be the pressing problem—let us take up some of the other bills that have been on the Calendar, such as, for example, the bill which just went over in its order, on the previous page, Senate Bill No. 321. That bill has been on our Calendar for a number of weeks. As a matter of fact, it appeared on the Calendar even before Senate Bill No. 471 and the bills following it. I think we should consider some of the other bills. if the time element is what is pressing this legislation.

Senate Bill No. 321, I might point out, deals with a man's salary. During the past weeks, we have run all the salary bills through. I cannot see any reason to hold one bill on the Calendar, which has certainly been on the Calendar longer than these bills. Senate Bill No. 471 and the following bills merely deal with simple banking



problems which would not make any world-shaking difference whether they pass this week, next week, two weeks or a month from now.

Mr. BERGER. Mr. President, these bills are certainly, just as Senator Weiner said, simple banking bills and there is no reason to retain them on the Calendar. We are ready to vote on them and, of course, if Senator Weiner does not approve of them, he should vote against them. In so far as their having appeared on the Calendar is concerned, they have been on a reasonable amount of time. I do not recall that the other bill has been on the Calendar any longer than these. I am sure that in the very near future we will get to vote on that bill.

For the present, Mr. President, let us confine ourselves to the bills under consideration. The other bill was passed over in its order.

The PRESIDENT. There being objection to these bills going over in order, the Senate will proceed with their consideration.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 471, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, as long as these bills are so important that they cannot even wait another week, or cannot wait even for another day, I would like to have someone explain them to me or explain what they do. The way I read them, I think they have some problems in them that are not too good. I am speaking about Senate Bill No. 471. I am not so sure that some of these gentlemen understand what they are voting for and exactly what these bills will do.

My purpose in asking for these bills to be passed over in order was so that we could further clarify some of the problems involved in them. If someone will discuss them with me, and that person will so designate himself from the other side, I will be most happy to bat this back and forth with him. Perhaps he can explain to me, and the other Members of this Senate who may not have had the benefit of having read all the intricacies in the law, just what will be changed by this bill.

Mr. BERGER. Mr. President, if the gentleman wishes to occupy the time of the Senate in doing that, I have memorandums on each one of these bills which I will be glad to elucidate for the benefit of the Senator.

Senate Bill No. 471 is a bill which provides for the method of calculating the reserve funds of banks. At the present time, the method of calculating the reserve funds of banks, which are members of the Federal Reserve Bank, is determined by the Board of Governors of the Federal Reserve System, under Section 910 of the Pennsylvania Banking Code.

The method used by the 182 nonmember banks in Pennsylvania is determined by Section 908 of the Pennsylvania Banking Code, which places it upon a daily basis, while the member banks are placed upon a semimonthly basis.

The method of calculating the reserve fund is extremely important, because it determines the bank's right to make loans and declare dividends.

This bill would remove this discrimination between member and non-member banks, presently existing. Attention is directed to the fact that the reserve requirements are not changed nor are the penalty provisions changed.

This bill has been approved by the Department of Banking.

Mr. WEINER. Mr. President, I believe that one of the important features which might have been omitted in the gentleman's resumé, unless I was not listening very carefully to him, is that this bill removes one of the requirements for having a reserve fund. At present, a dividend cannot be paid by a bank, as I understand it, if it will impair either the bank's capital, its surplus or its special or reserve funds. This bill removes the requirement in regard to the reserve fund. This makes a bank more like a corporation in regard to the payment of dividends.

I have no objection if any corporation wants to pay a dividend, whether it can afford to or not; or whether a reserve fund can stand it or not. I think a depository of people's money should be in a little different category. On that basis, I think it should be entitled to a closer scrutiny.

The fact that there have been bars let down in other banks certainly is no good reason for us to take the same position or same view. I do not feel that it will put our banks in any better position.

I think that there may even be some gentlemen sitting in this room who will remember the years 1929, 1930, 1931 and 1932, and what happened to the situation at that time. This is one of the safeguards which was instituted at that time. One of the reasons for preserving these safeguards is so that we do not have a repeat of that type of a situation. The Federal Deposit Insurance Corporation partially takes care of this problem, but not completely. I, for one, look askance at this type of legislation, unless it were demonstrated to me that it was absolutely essential that we have this type of provision which allows a bank to pay a dividend when there may be some impairment in the reserve fund.

Mr. MAHADY. Mr. President, if the memorandum read was the memorandum which was read to the Republican Caucus, I can see why they were misled in their thinking.

The fact that one set of banks within the Federal Reserve System determines what their reserve is bimonthly and a set of State banks, not in the Reserve System, determines it each day, and you were going to make that reserve be determined on the same day, I can see where you would favor it. However, that is not what this bill does. There is not a word in this bill that says when you change the day, that you will determine when the reserve is ascertained. That remains as heretofore.

This bill allows you to do two things. It allows you to make a loan or it allows you to pay a dividend, at a time when your reserve is impaired. They are not changing the rule as to whether a reserve is impaired or not. That determination remains the same. It still will be impaired and considered impaired. How ridiculous can we get when

we say that we will vote that when the cash reserves of a bank are beyond what we think they should be, we will permit a dividend or we will permit a loan to be made?

There have been periods, during 1952 and 1953, when some banks could not make a mortgage for as high as eighteen months because their cash position would not permit it.

Why should we say we are so prosperous that the fundamental rules, not only of banking but of any other business, do not apply and that when your cash position is bad, you impair it, particularly in banking? If they think the cash position requirements are too high, then change it. However, they do not say that. They say the cash requirement for a position of solvency is correct. If it is correct, why permit a loan or why permit a dividend at such a time?

Mr. SILVERT. Mr. President, our Caucus invited Secretary Myers over to explain this bill, and, as I understand it, it does not jeopardize depositors. The bill still prohibits the making of a loan or the payment of a dividend when the capital and surplus of the bank and trust company would be impaired.

The bill also provides that every institution shall give immediate written notice to the department when there is a deficiency in reserve, and that it must be made up within five days.

I, personally, do not feel that depositors, stockholders or creditors would be hurt by the passage of this bill, and I intend to vote for it.

An the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

#### VERIFICATION OF THE ROLL

Mr. STIEFEL. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger	Harney	McMenamin	Stevenson
Blass	Keller	Miller	Taylor
Camiel	Kessler	Pechan	Wade
Chapman	Koprivier, Jr.	Propert	Wagner
Confair	Kromer	Ruth	Walker
Ehrgood	Madigan	Scott	Watkins
Elliott	Mallery	Shafer	Whalley
Flack	McGinnis	Silvert	Wolfe
Fleming			

The PRESIDENT. Are there any corrections?

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman is so recorded.

Are there any further corrections? The Chair hears none. The affirmative roll will stand as read.

The Clerk read the names of those recorded as having voted in the negative as follows:

Donolow	McCreesh	Ripp	Seyler
Hays	Mullin	Rooney	Stiefel
Lane	Murray	Sarra	Weiner
Mahady			

The PRESIDENT. Are there any corrections? The Chair

hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—33

Berger,	Harney,	McMenamin,	Stevenson,
Blass,	Keller,	Miller,	Taylor,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Propert,	Wagner,
Confair,	Kromer,	Ruth,	Walker,
Ehrgood,	Madigan,	Scott,	Watkins,
Elliott,	Mallery,	Shafer,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			

#### NAYS—13

Donolow,	McCreesh,	Ripp,	Seyler,
Hays,	Mullin,	Rooney,	Stiefel,
Lane,	Murray,	Sarra,	Weiner,
Mahady,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 472, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" authorizing certain banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. STIEFEL. Mr. President, I would like, at this time, to ascertain how the gentleman from Philadelphia, Senator Silvert, voted.

The PRESIDENT. Senator Silvert is recorded as voting "aye."

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—36

Berger,	Harney,	McMenamin,	Stevenson,
Blass,	Keller,	Miller,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ruth,	Wagner,
Ehrgood,	Lane,	Sarra,	Walker,
Elliott,	Madigan,	Scott,	Watkins,
Flack,	Mallery,	Shafer,	Whalley,
Fleming,	McGinnis,	Silvert,	Wolfe,

#### NAYS—12

Donolow,	Mahady,	Murray,	Seyler,
Hays,	McCreesh,	Ripp,	Stiefel,
Kalman,	Mullin,	Rooney,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,



The Senate proceeded to the third reading and consideration of Senate Bill No. 473, entitled:

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment, reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, I am either in a fog myself, or I think that the Republican attitude toward inflation is getting a distinct reversal in kind today.

There is no question about the fact that the series of bills which we are considering involve two things. One is the idea of permitting what was known in the early Thirties as the mortgage pool in trust funds. This was denounced then as being unsound, in fact, prohibitive. In addition to that, we have passed a series of acts which permit trustees to invest in common stocks, and we find, in trusts, that we have over \$9,000,000,000 invested at purchase price—not at present market value, but at purchase price—in stocks by trusts. This is the highest figure that has ever existed in the ownership of stocks.

There is no question about the fact that one of the things that has sustained the market over the past five years is the investment in common stocks by investment trusts, ordinary trusts, pension funds and the like. It is distinctly inflationary in its aspect and in its composition. However, above that, the reason these pools, when they confined themselves to more certain things as mortgages, were declared unsound was because the banks were found to have shifted assets from one to the other, according to the friendliness they had to the people whose trusts were involved.

One of these bills also includes labor funds. We will note that big estates cannot be included. There is a limitation upon that. However, all of the money of the little man can go into this. It can be risked, and it can be jeopardized. However, a ceiling has been put on the amount of an individual's money which can go into this so-called pool.

I do not understand, Mr. President, why the proponents, who have been yelling that they are stopping inflation, are the prime movers behind these bills. Bills which contribute more than any other to inflation are here before you today, bills which jeopardize the common man's trust fund. We are talking about widows and orphans and we are talking about inflation, the things against which we should guard. Yet, here we are saying, let us loosen the law, let us make the avalanche under the same rules we had available in 1929. In 1929, it was said that the loaning of money to the stock markets outside the control of the Federal Reserve System by a few corporations led to the depression. Today we find most of the financial transactions of this Country, and most of the trust funds, out beyond the control of the Federal Reserve System.

We are limiting the amount of money that goes into savings accounts because, by these bills, we are placing it in the stock market. We are limiting the amount of money that will go into mortgages and we are placing it in the stock market. We are increasing the amount of

complete credit that cannot be restricted or affected by Federal Reserve discount action.

Every man in this Senate claims that he is a man who thinks of the needy, of the poor and he is attempting to guard against inflation. If we are to be honest with ourselves, we should vote against this bill and every similar bill to guard against inflation and to safeguard the people about whom I am speaking.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—34

Berger,	Harney,	Miller,	Taylor,
Blass,	Keller,	Pechan,	Van Sant,
Camiel,	Kessler,	Propert,	Wade,
Chapman,	Koprivier, Jr.,	Ruth,	Wagner,
Confair,	Kromer,	Scott,	Walker,
Ehrgood,	Madigan,	Shafer,	Watkins,
Elliott,	Mallery,	Silvert,	Whalley,
Flack,	McGinnis,	Stevenson,	Wolfe,
Fleming,	McMenamin,		

#### NAYS—14

Donolow,	Mahady,	Ripp,	Seyler,
Hays,	McCreesh,	Rooney,	Stiefel,
Kalman,	Mullin,	Sarraff,	Weiner,
Lane,	Murray,		

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 684, entitled:

An Act amending the act of April 13, 1943 (P. L. 49) entitled "An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given" enlarging the investment powers of co-fiduciaries.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—37

Berger,	Keller,	Miller,	Stiefel,
Blass,	Kessler,	Pechan,	Taylor,
Camiel,	Koprivier, Jr.,	Propert,	Van Sant,
Chapman,	Kromer,	Ruth,	Wade,
Confair,	Lane,	Sarraff,	Wagner,
Ehrgood,	Madigan,	Scott,	Walker,
Elliott,	Mallery,	Shafer,	Watkins,
Flack,	McGinnis,	Silvert,	Whalley,
Fleming,	McMenamin,	Stevenson,	Wolfe,
Harney,			

#### NAYS—11

Donolow,	Mahady,	Murray,	Seyler,
Hays,	McCreesh,	Ripp,	Weiner,
Kalman,	Mullin,	Rooney,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I would be remiss in my duty if I did not make an observation at this point.

We have this Session passed bills for insurance companies, for the banks, for the corporations and anyone else up and down the turnpike who had some influence or affluence in this Body. I am waiting to see a piece of legislation which will help the workingman and the poor guy who goes out each day to work for a living. I am watching and hoping that the committee will meet, now that we have the important business out of the way, and take up some of these problems.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 703, Printer's No. 1143, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 751, entitled:

An Act amending the act of June 1, 1956 P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes \* \* \*" providing for the use of twenty-five per centum of the money allocated in townships of the second class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I do not want to prolong the debate on these bills. However, I think we should, at least, discuss some of these things so that we have some idea of what we are voting on and so that we cannot say that we did not understand what we were doing.

This bill allows money to be spent on the maintenance of roads and bridges when all roads of—and this is what I think is the gimmick in this bill—major importance are already improved. Originally, twenty-five per cent of this money had to be used to construct or reconstruct roads and bridges when all roads in the community were improved. The question in my mind is who is going to decide which roads are of major importance, and what is to prevent anyone who wants to use these funds for some other purposes, other than those indicated, from stating that the roads of major importance have already been taken care of and then funneling off this money for other purposes for which this money was never intended in the original purport of the bill?

Mr. BERGER. Mr. President, this bill is certainly self-regulatory. This bill provides that when the governing body of the township or the road supervisors—they are now called township supervisors rather than road supervisors—have determined that the roads in their township have been improved to the extent that none of any im-

portance need improvement, they may use the twenty-five per cent for the maintenance of roads and bridges in the township. It seems to me to be a very reasonable sort of thing for the township supervisors to determine when they can use this money for the maintenance of the roads that they have already built and for the bridges which go over the streams and carry the roads across.

I do not think there is anything obscure about this bill, and I do not think there is much room for debate on it. It does exactly what it says, and it seems to be of pretty fair purpose.

Mr. WEINER. Mr. President, I would like to point out that the Secretary of Highways feels that this is bad legislation.

I would also like to point out that this money, from the gasoline tax allocation, was set aside to maintain highways and roads in the entire community, not to allocate it for a road which they thought was of major importance and then go on to use that money for other purposes. I do feel, if that had been the original purpose of the bill, it would have been enacted in the original act and so stated.

Why we have to chip away at those things which we have found workable, to take care of some other purpose some one else has in mind, has never been a compelling reason to me. I realize that there are certain powerful interests here who are quite interested in this legislation and have made their wishes known. I must say that I reluctantly bow to those interests.

Mr. EHRGOOD. Mr. President, the Minority Leader talks about the Secretary of Highways being against this bill. However, when the Secretary of Banking is in favor of other bills, the Senator does not go according to that plan. Perhaps he wants to follow Bill Green on his tax measure, too.

Mr. WEINER. Mr. President, I do not know of what that is apropos. Perhaps the gentleman can explain it a little more clearly. I think I can explain my position without any difficulty at all.

The Secretary of Banking stated to our Caucus, and I believe stated publicly, that he was not the father of those bills. If you want to know who the father is, I can tell you. Those were put in by the P. B. A. They sponsored those bills and have been harassing everyone to get them passed. As a matter of fact, they have visited this Chamber.

The Secretary of Banking did state that he is not in favor of those bills and he is not sponsoring them, but he sees nothing wrong in them. If we choose to pass them, he was not going to tell the Legislature what it could or could not do.

How Congressman Green figures in all this is beyond me. If it is your purpose to make a political speech, I think you should do that under Petitions and Remonstrances and not while we are debating legislation.

Mr. EHRGOOD. Mr. President, we heard a political speech by this Minority Leader right after the last bill was passed, in talking about special interests, et cetera. When this Minority Leader accuses someone else of doing the same thing, I must assume that he is for Bill Green's tax measures, too, because that would take care of business and kill the goose that lays the golden egg.

The PRESIDENT. Is there something else that you wish



to state, Senator Weiner, other than what has just happened, because I think this is out of order?

Mr. WEINER. Mr. President, I agree that it is out of order. In keeping with the suggestion from one of the gentlemen on our side that sometimes recognized speakers are out of order, I will not call the gentleman out of order, but will speak on this point under Petitions and Remonstrances.

The PRESIDENT. I think that might be well.

Mr. BERGER. Mr. President, just for the purpose of clarification, I would like to point out that on page 3 of this bill, the township supervisors and the Department of Highways determine when all streets and roads of any importance have been improved. I am sure that the Department of Highways and the township supervisors, in their judgment, are well able to say when sufficient improvements have been made to all of the roads in the township. Then they can use twenty-five per cent of the money they get from the Liquid Fuels Tax for the maintenance of the roads and bridges.

Again, I repeat, Mr. President, it seems to be very clear and, in my opinion, at any rate, very reasonable.

Mr. WEINER. Mr. President, I would just like to point out on the very same page, page 3, the part which is being added:

"When all roads and streets of any importance as determined by the township supervisors and the department are classified as improved in any township of the second class the twenty-five per centum may be used for . . ."

Might I point out that the words, "other road purposes," are crossed out? In capital letters, the words, "Maintenance of roads and bridges in the township," are inserted. That was not originally intended by the Act, because if we were just changing that, we would not need this bill. What we are obviously changing is that we are taking in other areas that were never intended by this fund.

Mr. McMENAMIN. Mr. President, in view of this previous discussion, I thought, perhaps, that I might better say that I am voting for this bill. To the best of my knowledge, no one that I know is interested in it. So far as I know, I do not think any of us here have been influenced by anybody representing any so-called interests.

In so far as the bill, itself, is concerned, I agree with Senator Berger that it is sensible. I think that the remedy is if the people in a particular township do not like the way their township supervisors have allocated the road money, that they should elect a new set of supervisors at the next election. Under the Democratic process, the remedy for abuse of a person's office or failure to act to the best of their ability is at the polls. I do not think we have to have this type of discussion on a bill of this nature.

Mr. WEINER. Mr. President, I do not know whether the gentleman received the same letter I did, but I received a letter from the Pennsylvania State Association of Township Supervisors. I think that association consists of people who are interested in these measures.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—34

Berger,	Keller,	Miller,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Probert,	Wade,
Confair,	Kromer,	Rooney,	Wagner,
Ehrgood,	Lane,	Scott,	Walker,
Elliott,	Madigan,	Shafer,	Watkins,
Flack,	Mallery,	Silvert,	Whalley,
Fleming,	McCreesh,	Stevenson,	Wolfe,
Harney,	McMenamin,		

## NAYS—14

Camel,	Mahady,	Ripp,	Seyler,
Donolow,	McGinnis,	Ruth,	Stiefel,
Hays,	Mullin,	Sarra,	Weiner,
Kalman,	Murray,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 758, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing that payment of certain taxes imposed by political subdivisions upon residents thereof shall be allowed as a deduction from similar taxes imposed by any other political subdivision.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. LANE. Senator Kessler, I would like to ask you a few questions.

Number one, in the event a wage earner is living outside of Philadelphia and working in Philadelphia and this legislation was passed, and they enacted the necessary legislation in the municipality outside of Philadelphia, where would this gentleman pay the tax?

Mr. KESSLER. To his place of residence, Mr. President.

Mr. LANE. Thank you very much.

Mr. PRESIDENT, I believe that this legislation is brought out for the simple purposes of hamstringing the operations in Philadelphia. I had an analysis made of this legislation and found that what they are trying to do is insert in the Sterling Act, the law which is now prevailing under Act No. 481. It seems to me that Philadelphia will be seriously hurt, financially, if this legislation passes the Senate and the House of Representatives.

All of us realize the problems we now have in the municipalities. We have wage taxes in effect throughout Pennsylvania, under Act No. 481. I think the budget of Philadelphia depends upon the wage taxes which are in effect under the Sterling Act in Philadelphia. It is only natural to assume that a great portion of the taxes that are paid in Philadelphia are, no doubt, paid by persons who do not reside within the confines of that city. Since

they make their money in Philadelphia and since it is a metropolitan area, I feel that they should pay their proportionate share.

Therefore, Mr. President, I, for one, am going to oppose the passage of this legislation.

Mr. WEINER. Mr. President, I do not desire to interrogate the sponsor of this bill, but if he would like to answer my remarks I will appreciate hearing from him.

I have been reading in the newspapers, and it has been ascribed to the sponsor of this bill, that he is not in favor of many of the programs which are included in the Governor's budget. As a matter of fact, he said he will cut some money from the budget that has been specifically allocated for the Philadelphia area.

I now ask Senator Kessler, specifically, would he reimburse Philadelphia or provide the loss in income which it would suffer as a result of this type of legislation? I would also like to know from him whether he would favor this type of legislation for the cities, in his county, which surround the different areas that might fit into this particular category. Although this bill has been tailor-made for the Philadelphia area and is trying to accomplish, in a sort of backhanded fashion, what direct onslaughts have been made on this type of taxation, I do not feel that this is properly thought out. It has some political value, I am sure. However, as far as being in the category in which I know the Senator always acts in these matters, I do not believe that this has been given the same type of careful thought and consideration that he usually gives to these matters.

The loss that Philadelphia will suffer, I think, will be so great that they will have to come to the Legislature and even ask for greater amounts of money than they are now asking for and which they also are not getting.

Therefore, Mr. President, I ask my colleagues to vote "no" on this type of legislation.

Mr. KESSLER. Mr. President, last year, the city of Lancaster imposed a wage tax for city purposes, I believe, among its residents. That tax applied to individuals who worked in the city, but lived in the surrounding townships. As a retaliatory measure, most of the school districts in the surrounding townships imposed wage taxes in order to preserve the funds of their citizens to their own school districts. It so happens that we have a relatively small number of people who do work in Philadelphia, but reside in Lancaster County. Those people expressed the desire to me that as long as they had to pay a wage tax, they wanted the funds to go to their own school district and not to Philadelphia. That is the sole purpose of this bill. There is no ulterior motive nor any intention to harm Philadelphia in any way.

I have checked with some of the people living in Delaware, Chester and Montgomery Counties and I understand that they do not have any wage taxes down in that area. Therefore, I do not believe that the impact on Philadelphia is going to be very great.

Mr. WEINER. Mr. President, I wonder whether the gentleman would address himself to the other question that I asked him. Would he be willing, as the chairman of an important committee of this Body, to provide some means of taking up the loss that Philadelphia will feel as a result of this bill being enacted into law?

Mr. KESSLER. Mr. President, it seems to me that that

is a problem for Philadelphia to solve and not for the General Assembly.

Mr. WEINER. Mr. President, I want to thank the gentleman for his courtesy.

I would also like to point out to him that if those persons who live in Lancaster and earn their livelihood in Philadelphia are having difficulty with this problem, I might suggest to them, as a Philadelphian, to whom this problem has been suggested to be solved by 'the people of Philadelphia, that those people get jobs in Lancaster and remain there. Then all of their money could remain in that area and Philadelphia would not have to take anything from them. I am sure this would please the people in New Jersey and in Philadelphia who are looking for jobs at this time. They might find they will not have any problem of this type and will be only too happy to pay this wage tax.

Mr. SEYLER. Mr. President, I am not affected by this bill in any way, as far as my own constituents are concerned, I believe. It seems to me that the essential change in the law, as contained in the passage of this bill or any other Act of Assembly, only applies to the Sterling Act. I do not know that any other Act of Assembly will be affected except the Sterling Act.

It seems to me that the proper way to amend the Sterling Act is to propose an amendment to the Sterling Act. It seems to me this is a rather unusual way, to amend one law by making an amendment to another law. For that reason, alone, it seems there is a very good reason for opposing this. If we wanted to amend the Sterling Act, the direct, open and above board way to do it is to offer an amendment to that Act.

Mr. WEINER. Mr. President, I just want to point out one other thing to the gentleman from Lancaster, Senator Kessler. The reason the areas surrounding Philadelphia do not have a wage tax is because they realize that their people—they are what is known in the Philadelphia area as "the bedroom counties"—are already paying this tax to Philadelphia and that is the reason they do not impose one of their own. I am sure that if this were to become law, they would certainly hasten to impose their own wage tax for the purposes of giving their people alleged relief and, by the same token, being able to sort of bite—if I might use that term—into the old pay check.

Mr. WATKINS. Mr. President, in answer to Senator Weiner, I would just like to say that we do not have a wage tax in Delaware County. Therefore, we would benefit in no way by this bill. However, I can say that I think it is good legislation. I think it is fair legislation, regardless of whether the bill is drawn properly or not, I think the theory and the thinking behind it are absolutely perfect.

I think that taxation without representation is still rotten and not the American way to tax people. Even though we are paying the Philadelphia wage tax, we feel that it is unjust and unfair and we resent it very much. I want Senator Weiner to know that we are not in any way condoning this Philadelphia wage tax. I think this is a good bill and I think if he wants to be fair about it, he would vote for this bill and not against it. In my opinion, it is the most vicious and un-American tax that anyone can impose on any district adjoining their county. I think it is wrong when people are charged for the right to work.

In our county, we have as many Philadelphians working as we have Delaware Countians in Philadelphia and we



do not tax them. There is no principle, right or justice in back of any county which does this.

Mr. WEINER. Mr. President, in reply to the gentleman, the question recurs and maybe he would like to answer the question. How will they make up this loss of revenue that Philadelphia will suffer? If he tells me it is a Philadelphia problem, I must say to him that I have already answered that question.

Mr. WATKINS. Mr. President, yes, I would like to answer that question. I consider that a problem for the city of Philadelphia's government. That is a problem for the City Council of Philadelphia and for Mayor Dilworth to decide where they are going to get the money. That is not my problem here in the Legislature, to plan that we are going to give them money to pay for a tax which is not fair, not just and not American.

Mr. MULLIN. Mr. President, I am surprised to see Senator Kessler introduce a bill such as this. I would have expected it to be introduced by Senator Watkins. I do not think there are many people who live in Lancaster and work in Philadelphia, because they are about seventy-five miles from Philadelphia.

There is no question in my mind that if this bill were to pass, every community in Delaware County would have a wage tax, and probably a three and one-quarter per cent wage tax. It is my opinion that it would be to the interest of the people of Delaware County to have this bill defeated, because if it is not, they will be paying the Philadelphia wage tax because Philadelphia will probably have to increase their tax and then they will have their own tax, too.

I think that this tax is a bad tax not only because it will upset the financial picture of the city of Philadelphia at the present time, while it is being cheated out of necessary funds by the General Assembly, but I also think it would be to the interest of the voters of Delaware County not to have this bill pass. That applies to Montgomery County, also.

Mr. WEINER. Mr. President, I do not want to recount political history. However, does it not seem strange, Senator Watkins, that in all these years since 1937 when the Sterling Act was passed, when you have had a Governor, you have had Legislatures, and you have even had a City Council in Philadelphia that were on the same political complexion as the gentlemen sitting on the other side, that from that time up until the present moment, we have not had an onslaught on this unfair, un-American and improper tax that we have had in the City of Philadelphia? Why has this only occurred in the last couple of years? I would like to say to Senator Watkins that if this Legislature and this Body concerned itself less with Philadelphia when it came to making prohibitive laws for Philadelphia, and concerned itself more with Philadelphia as far as its money problems are concerned, I am sure we would not have to waste our time on this type of legislation.

Mr. SILVERT. Mr. President, I must take one minute to reply to Senator Watkins who called the Philadelphia wage tax unjust, unfair, et cetera, et cetera, et cetera.

Senator Watkins, not only has the Supreme Court of Pennsylvania declared that this Philadelphia tax is just and fair and legal, but if you have read the newspapers during the past six months, you will have observed that the question was carried to the Supreme Court of the

United States, and the Supreme Court of the United States said that the tax was just and fair, and was not taking advantage of the residents of your county. If the residents of your county choose to earn their livelihood in Philadelphia and take jobs in Philadelphia, which Philadelphians might fill, they should be willing to pay their just share of the costs of carrying on the government in Philadelphia.

Mr. WATKINS. Mr. President, the Supreme Court of the United States did make a ruling on the wage tax. The Supreme Court of the State of Pennsylvania made a ruling on the wage tax. However, nowhere in those rulings was it said that the tax was fair. They said it was legal. I do not question the legality of the Sterling Act. I see nothing wrong with the Supreme Court's ruling. However, I still say that it is an unfair and an unjust and an unwanted tax.

I would also like to say to Senator Mullin that in Delaware County we will never have a wage tax. That is one county that cannot afford to have some of our residents pay a Philadelphia tax and, on the other hand, pay a wage tax to us in Delaware County. We are not a wage tax county. When Senator Mullin talks about a three and one-quarter per cent tax, I think he must be pulling some of Johnny Dent's figures out of the air.

Under Act No. 481, the only wage tax which could be levied in my county would be one per cent, because the Act does not permit a tax beyond one per cent.

I want to assure you Philadelphia Senators that you do not have to worry about Delaware County. We are not going to levy a wage tax. If you want to, for once in your lives, as Senators, vote for what you think is right in the American form of taxation, you will vote for this bill.

Mr. BERGER. Mr. President, I just want to point out one thing to the Senate. I know that Senator Watkins has thought of it, but he is much too modest to mention it.

I will say that he has consistently, uniformly and continually battled against the Philadelphia wage tax ever since he has been in the Senate. Therefore, he has not been remiss in that respect, I assure you, Mr. President.

Mr. WEINER. Mr. President, if I represented Delaware County, I would also be against the Philadelphia wage tax, consistently.

Mr. DONOLOW. Mr. President, I was hoping that the Senator from Delaware County, as he grows older, would become mellow toward Philadelphia. I was hoping by this time that he would show the same affection, concern and consideration for Philadelphia as he does for the Secretary of the Senate.

Mr. LANE. Mr. President, I heard the Majority Leader make a very informative statement, and I wish to advise Senator Watkins that someone once said that consistency is the hobgoblin of small minds and the refuge of little statemen. However, since I have not had an argument this entire Session with the distinguished gentleman from Delaware County, I would like very much to interrogate him.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President. He has not insulted me this year so far.

Mr. LANE. Senator Watkins, did you collaborate with Senator Kessler in bringing about this little turkey?

Mr. WATKINS. I will have to be honest with you. I did not know that Senator Kessler introduced this bill.

Mr. LANE. You did not?

Mr. WATKINS. I did not.

Mr. LANE. Do you suppose that he might some day represent Delaware County?

Mr. WATKINS. I will say this much for him. He was on his toes, and I welcome his help.

Mr. LANE. Thank you very much. Senator, I just heard you make the statement whereby you said that you would never enact a wage tax in Delaware County. Is that correct?

Mr. WATKINS. That is correct, as long as I have anything to do with politics.

Mr. LANE. Wait now. Just a moment now. You have added a little bit of projection there.

Mr. WATKINS. I do not go as far as you go, Senator Lane. I cannot tell what my grandchildren are going to do when they get in office. I do not know what is going to happen then. As long as I am in politics, we will never have a wage tax in Delaware County.

Mr. LANE. Perhaps we might say as long as you are the boss in Delaware County you will not have a wage tax.

Mr. WATKINS. No, I am not the boss. However, if you want to know who is the boss, I will tell you. Would you like to know? You asked me a question.

Mr. LANE. You gave me the answer. I wanted to hear the answer. However, I wanted to make sure that you knew what you were saying, Senator.

Mr. WATKINS. Well, I am very close to Senator McClure.

Mr. LANE. Oh, I see. In other words, you are speaking for Senator McClure. Is that correct?

Mr. WATKINS. I speak for Senator McClure on the wage tax, yes.

Mr. LANE. Then you guarantee that there will not be a wage tax in the event we pass this legislation?

Mr. WATKINS. Not as long as Senator McClure and I are there.

Mr. LANE. Mr. President, I want to thank the gentleman very much. I wanted to get an argument from him, but I cannot get one today for some reason. Generally speaking, he gets on the floor and waves his hands. We like to hear him make a speech. However, I guess he is getting old and mellow, and does not have the enthusiasm he used to have.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

NAYS—21

Barr,	Mahady,	Mullin,	Sarraff,
Camiel,	McCreesh,	Murray,	Seyler,
Donolow,	McGinnis,	Ripp,	Silvert,
Hays,	McMenamin,	Rooney,	Stiefel,
Kalman,	Miller,	Ruth,	Weiner,
Lane,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 762, entitled:

An Act amending the act of June 25, 1913, (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein . . ." authorizing the repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Murray,	Taylor,
Camiel,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler	Propert,	Wade,
Confair,	Koprivier, Jr.	Ripp,	Wagner,
DiSilvestro,	Kromer,	Rooney,	Walker,
Donolow,	Lane,	Ruth,	Watkins,
Ehrgood,	Madigan,	Sarraff,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	

NAYS—3

Mahady,	Mullin,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 810, Printer's No. 1010, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 810, entitled:

An Act amending the act of May 1, 1933, (P. L. 103) entitled "The Second Class Township Code" authorizing the establishment of a Shade Tree Commission and providing for its personal powers and duties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proppert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarraff,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, entitled:

An Act amending the act of April 14, 1927 (P. L. 297) entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof \* \* \*" clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirements of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with the provisions of the act of April 14, 1927 (P. L. 297) as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.	Pechan,	Van Sant,
Confair,	Kromer,	Proppert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraff,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 852, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proppert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Proppert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 878, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing for the payment of service increments to firemen in addition to their pensions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class . . ." authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or liens from the authority.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—33

Barr,	Harney,	McGinnis,	Taylor,
Berger,	Keller,	Pechan,	Van Sant,
Blass,	Kessler,	Propert,	Wade,
Chapman,	Koprivier, Jr.,	Ruth,	Wagner,
Confair,	Kromer,	Scott,	Walker,
Ehrgood,	Madigan,	Shafer,	Watkins,
Elliott,	Mallery,	Silvert,	Whalley,
Flack,	McCreesh,	Stevenson,	Wolfe,
Fleming,			

## NAYS—15

Camiel,	Lane,	Mullin,	Seyler,
Donolow,	Mahady,	Murray,	Stiefel,
Hays,	McMenamin,	Ripp,	Weiner,
Kalman,	Miller,	Sarraf,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1070, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessment Law" exempting certain properties from taxation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1074, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898) entitled "Funeral Director Law" providing for a State Board of Funeral Directors in the Department of Public Instruction.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,



Flack,  
Fleming,  
Harney,

McCreesh,  
McGinnis,  
McMenamin,

Seyler,  
Shafer,

Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1078, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law" providing for biennial registration.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1080, Printer's No. 1163, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1100, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" authorizing the cutting or cropping of dogs' care by veterinarians.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—41

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,

Harney,  
Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
McCreesh,  
McGinnis,

McMenamin,  
Murray,  
Pechan,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Shafer,

Silvert,  
Stevenson,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—9

Fleming,  
Mahady,  
Mallery,

Miller,  
Mullin,

Propert,  
Seyler,

Stiefel,  
Watkins,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1273, entitled:

An Act amending the act of May 22, 1933 (P. L. 853) entitled "The General County Assessment Law" exempting certain property from taxation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1400, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" further regulating the election of councilmen.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1511, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" changing the fees to be charged by the commission for copies of papers testimony and records.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Confair,	Koprivier, Jr.,	Propert,	Van Sant,
Chapman,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1514, entitled:

An Act amending the act of April 27, 1945 (P. L. 321) entitled "The Veterinary Law" changing from annual to biennial registrations.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	McMenamin,	Shafer,
Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliot,	Mallery,	Sarraf,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Seyler,	Wolfe,
Harney,			

## NAYS—1

Stiefel,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1685, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" by extending the term "workmen" to include public utility employees when working on the highways.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1808, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" authorizing pension payments to retired members of fire departments regardless of employment for compensation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### REPORTS FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 463, entitled:

An Act amending the act of March 17, 1921 (P. L. 32), entitled "An act authorizing the erection and construction by counties of memorial halls \* \* \*," requiring memorial halls to contain rooms for meetings of the Italian American War Veterans of the United States, Incorporated.

He also from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 464, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Italian American War Veterans of the United States, Incorporated, to defray the costs of Memorial Day and Armistice Day.

He also from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 465, entitled:

An Act amending the act of April 8, 1867 (P. L. 50),

entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," prohibiting the peddling of labeled flowers of the Italian American War Veterans of the United States, Incorporated.

He also from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 469, entitled:

An Act amending "The County Code," approved August 1955 (P. L. 323), providing rooms for use of the Italian American War Veterans of the United States, Incorporated, and for its membership on the board of control.

He also from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 719, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding new routes in Jefferson County.

He also from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows, infant children or dependents.

### REPORT OF COMMITTEE TO INVESTIGATE RECENT MINE DISASTER, PURSUANT TO HOUSE CONCURRENT RESOLUTION, SERIAL No. 19

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KOPRIVER, JR. Mr. President, at this time, pursuant to House Concurrent Resolution, Serial Number 19, I should like to submit to the Senate the report of the Joint Legislative Committee created by the General Assembly to investigate the disaster that occurred on January 22, 1959, at the River Slope Mine, located at Port Blanchard, Pennsylvania, and operated by the Knox Coal Company.

This same report is being presented also to the House by the Vice-Chairman of this Committee, Representative Musto.

Members of the Committee personally visited the site of the river breakthrough. Hearings were held by the Committee throughout the months of March and April 1959. The validity of the committee was litigated in the Luzerne County Courts, the Commonwealth Court and the Pennsylvania Supreme Court. Some 1,700 pages of testimony were taken, some sixty-four witnesses were examined, and considerable hours of work were expended in research, review of the record and preparation of this report by the committee itself, counsel and technical staff.

In this report, the Committee has concerned itself with factual data and recommendations designed to prevent a recurrence of another disaster similar to that which occurred at the River Slope operation, and which claimed the lives of twelve men. We sincerely hope that our joint efforts in this regard will bear fruit. Likewise, we trust that the Legislature will effectuate the recommendations contained in this report and also pass the eight bills and

one concurrent resolution that the committee is offering in conjunction with this report, which pertain to conditions that in our opinion require immediate corrective action.

The committee wishes to express its gratitude to Attorney General Alpern and her staff for its assistance and co-operation through the course of its legal proceedings; to the Luzerne County Commissioners, the District Attorney, the United States Attorney, the Bench and Bar of Luzerne County, and the people of Wilkes-Barre for the hospitality and graciousness extended to the committee and its staff; to the working press, television and radio personnel who most objectively reported the proceedings; to the State Police for their cooperation with the committee and staff; and to all of the persons and organizations who assisted and made possible the functioning of the Legislative Investigating Committee, we tender our appreciation.

Mr. President, as Chairman of the Joint Legislative Committee created to investigate the Knox Mine Disaster, I hereby submit its report to the Senate.

The PRESIDENT. The report will be printed in the Appendix to the Legislative Journal.

### SENATE CONCURRENT RESOLUTION

#### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE LAWS RELATING TO MINING

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. KOPRIVER, JR., FLACK, WAGNER and MURRAY offered the following resolution (Serial No. 114), which was read and referred to the Committee on Rules:

In the Senate, July 27, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining be revised and codified; therefore be it

Resolved (the House of Representatives concurring); That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and nonmetallic mining, and to prepare a revision and codification of such laws. In preparing the revision and codification the Joint State Government Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster, and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, representatives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study, together with its draft of a codification of the mining laws, to the next General Assembly.

### BILLS INTRODUCED AND REFERRED

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to introduce bills at this time, on behalf of the committee which investigated the Knox Mine disaster.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. KOPRIVER, JR., FLACK, MURRAY, MAHADY

and WAGNER read in place and presented to the Chair Senate Bill No. 1005, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examination to determine the accuracy of maps, plans and drawings submitted to it.

Which was committed to the Committee on Mines and Mineral Industries.

They also read in place and presented to the Chair Senate Bill No. 1006, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," creating and imposing duties on mine safety committees.

Which was committed to the Committee on Mines and Mineral Industries.

They also read in place and presented to the Chair Senate Bill No. 1007, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

Which was committed to the Committee on Mines and Mineral Industries.

They also read in place and presented to the Chair Senate Bill No. 1008, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

Which was committed to the Committee on Mines and Mineral Industries.

They also read in place and presented to the Chair Senate Bill No. 1009, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

Which was committed to the Committee on Mines and Mineral Industries.

They also read in place and presented to the Chair Senate Bill No. 1010, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

Which was committed to the Committee on Mines and Mineral Industries.

They also read in place and presented to the Chair Senate Bill No. 1011, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," regulating the marking of the means of ingress and egress in mines.

Which was committed to the Committee on Mines and Mineral Industries.



They also read in place and presented to the Chair Senate Bill No. 1012, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

Which was committed to the Committee on Mines and Mineral Industries.

### SENATE RESOLUTION

#### CONGRATULATING THE LES GUILLOTINIERS, OF YORK, PENNSYLVANIA

Mr. SEYLER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER offered the following resolution (Serial No. 47), which was read, considered and agreed to:

In the Senate, July 27, 1959.

Les Guillotiniers, an all-girl color guard sponsored by York Legion Post 127 won its second junior championship in a week at Pittsburgh on July 17, 1959 in a contest sponsored by the American Legion.

Just one week earlier, they captured first place in Philadelphia where the group appeared in a contest of the Veterans of Foreign Wars.

This is the first time that a color guard has held both titles in a single year.

Our Congratulations for this dual victory and record are certainly in order and we heartily extend them to this group of young ladies and to their director Morgan Brenner; therefore be it

Resolved, That the Senate of Pennsylvania extends its warmest congratulations to Les Guillotiniers and their director, Morgan Brenner for their victories; and be it further

Resolved, That a copy of this resolution be forwarded to York Legion Post 127, York, Pennsylvania, and to director Morgan Brenner.

### BILLS INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER (By request) read in place and presented to the Chair Senate Bill No. 1013, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing requirements for the selection and acquisition of real estate and the construction and reconstruction of buildings, requiring buildings and sites to conform to county wide plans and changing conditions for the exercise of certain powers relating to projects of municipality authorities.

Which was committed to the Committee on Education.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1014, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," providing a procedure whereby certain complaints against licensees may be submitted to voluntary arbitration prior to action on suspension or revocation of licensure by the commission.

Which was committed to the Committee on Education.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure; imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes, and imposing certain costs.

Which was committed to the Committee on Judiciary General.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1016, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making the sale of sharp toys unlawful.

Which was committed to the Committee on Law and Order.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1017, entitled:

An Act providing for the abatement of nuisances arising out of hazardous, unsafe or structurally dangerous buildings or premises in cities of the first class; providing for the service or posting of notices relating to the work necessary to abate such nuisances; authorizing such cities of the first class, themselves or by contract, to abate such nuisances under certain conditions, providing for the filing of liens for the cost of such work, and imposing penalties.

Which was committed to the Committee on Judiciary General.

### HOUSE MESSAGES

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1659

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, July 27, 1959.

Resolved (if the Senate concur), That House Bill No. 1659, Printer's No. 681, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), extending power of police officers to remove all abandoned or wrecked vehicles and tractors.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE CONCURES IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

### TIME OF NEXT MEETING

In the Senate, July 27, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 3, at TWO o'clock P. M., E. S. T. and when the House of Representatives adjourns this week,

it reconvene on Monday, August 3, 1959 at THREE-THIRTY o'clock P. M., E. S. T.

## SECOND READING CALENDAR

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1, Printer's No. 99, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I am not objecting, but this bill has been with us a long, long time.

Mr. BERGER. Mr. President, I had not noticed it.

The PRESIDENT. Senator Weiner, are you objecting to this bill going over in its order?

Mr. WEINER. No, sir. I was just merely making an observation.

The PRESIDENT. There being no objection, the bill will go over in its order.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 33, entitled:

An Act amending the act of June 18 1941 (P L 137) entitled "An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by their fire companies in any city borough town and township" extending the rights and powers of special fire police to other duties performed upon request of municipal authorities.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 96, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devices bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 195, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" providing Commonwealth reimbursement to school districts on account of migratory children attending their schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 275, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that Senate Bill No. 275, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 278, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" clarifying the law relating to the election of a joint board secretary and when he shall take office.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 323, entitled:

An Act amending the act of May 15, 1933 (P L 624) entitled as amended "Banking Code," extending the time in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidences of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 466, entitled:

An Act amending the act of July 28, 1953 (P L 723) entitled "Second Class County Code" authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the



costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the country commissioners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 468, entitled:

An Act amending the act of July 28, 1953 (P L 723) entitled "Second Class County Code" further regulating membership of the board of managers of the memorial monument or memorial hall in honor of the soldiers sailors and marines of the county and providing rooms for use of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day" authorizing appropriations to post of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 523, Printer's No. 1070, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members of State Teachers Colleges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 828, Printer's No. 961;

Senate Bill No. 829, Printer's No. 962; and

Senate Bill No. 830, Printer's No. 963.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employees of school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 879, Printer's No. 1034;

Senate Bill No. 880, Printer's No. 1035; and

Senate Bill No. 881, Printer's No. 1036.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 891, Printer's No. 1046, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 916, entitled:

An Act amending the act of May 13, 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties \* \* \*" further regulating the powers of the department of city planning over plats or subdivisions of land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 917, entitled:

An Act authorizing counties, cities, boroughs, incorpor-

ated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgements where the lien of such claims or the judgements thereon have been lost and providing for the reinstatement of the liens of such claims and judgements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 939, Printer's No. 1137, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 941, entitled:

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

The first, second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. SHAFER offered the following amendment:

Amend Preamble, second paragraph of Preamble, page 1, line 3 of Preamble by striking out "at" and inserting: "in Venango County, near."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 957, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing the procedure for a change of classification.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 972, Printer's No. 1141;

House Bill No. 1035, Printer's No. 291; and

House Bill No. 1099, Printer's No. 459.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1220, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for continuing operation of joint school systems when one or more member districts fail to unite with other member districts in the formation of a union or merged school district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1224, Printer's No. 385, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1231, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" excepting certain restaurants at airports from the quota limitations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1305, Printer's No. 868, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1326, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing certain county boards to establish and operate audio-visual libraries and providing for the costs there.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1374, Printer's No. 902, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1429, entitled:



An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1447, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" imposing additional powers and duties on the Department of Health and establishing a fee.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No. 1447, the bill just read, be re-referred to the Committee on Appropriations.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1507, Printer's No. 588, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1881, entitled:

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "Consumer Discount Company Act" further regulating the granting of licenses and providing for appeals.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 1 (Sec. 12), page 3, line 8, by striking out "a rejection" and inserting: "an approval."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that House Bill No. 1881, Printer's No. 876, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2076, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" further regulating the amount of retirement allowances and payments to the retirement fund by the county and by employees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2127, entitled:

An Act reenacting and amending section 11 act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" providing a time when payments shall first be made to the widow and children of members who are killed while on duty.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR. Mr. President, there is a question as to whether I can be here tomorrow when the Senate is in Session. However, I just want to take a minute to tell the Members of the Senate that last Thursday, two of our members of the Pittsburgh Police Department were seriously wounded in a gun battle with some bank robbers who robbed a bank out in Hays, in the Thirty-First Ward, and were caught over in the west end of the city. Both of these men are married and have families.

Under existing law, their families would only receive workmen's compensation in the event their wounds prove fatal. Unfortunately, on the plane ride to Harrisburg today, I read where Officer Paga had taken a turn for the worse.

This House Bill No. 2127, on today's Calendar, was introduced to provide more adequate compensation for survivors and widows and children in cases such as these.

I am only sorry that I cannot be here tomorrow to vote for this bill on Final Passage.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2128, entitled:

An Act reenacting and amending clause (2) of section 9 act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof \* \* \*" providing for a time when payments shall first be made to the widow and children of members who are killed while on duty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2132, entitled:

An Act reenacting and amending clause (5) of section 13 act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" providing a time when payment of pensions upon disability shall first be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2135, entitled:

An Act reenacting and amending section 11 and 11.1 act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof \* \* \*" providing when pension payments to disabled members of the pension fund shall first be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 814 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 17 of today's Second Reading Postponed Calendar, Senate Bill No. 814, Printer's No. 940.

The PRESIDENT. Is there objection? The Chairs hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for making loans on the security of bonds and mortgages and judgments of record by banks and bank and trust companies.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendments:

Amend Sec. 1 (Sec. 1012), page 2, line 4, by inserting brackets before and after "and" where it appears the second time, and inserting immediately thereafter; "or Notes Secured by"; amend Sec. 1 (Sec. 1012), page 2, line 4, by inserting after "mortgages": "or Deeds of Trust"; amend Sec. 1 (Sec. 1012), page 3, line 1, by inserting after "bonds": "or notes"; amend Sec. 1 (Sec. 1012), page 3, line 2, by inserting after "mortgages": "or deeds of trust"; amend Sec. 1 (Sec. 1012), page 3, line 3, by inserting brackets before and after "and" and inserting immediately thereafter: "or notes secured by"; amend Sec. 1 (Sec. 1012), page 3, line 3, by inserting after "mortgages": "or deeds of trust"; amend Sec. 1 (Sec. 1012), page 3, line 6, by striking out the brackets before and after "two-thirds"; amend Sec. 1 (Sec. 1012), page 3, line 6, by striking out "three-quarters"; amend Sec. 1 (Sec. 1012), page 3, line 7, by inserting brackets

before "and" and after "(3)" and inserting immediately thereafter: "where such bonds or notes or deeds of trust shall"; amend Sec. 1 (Sec. 1012), page 3, line 8, by inserting brackets before and after "unless" and inserting immediately thereafter: "or do not exceed three-quarters of the actual value of such real property where such loan or investment shall be"; amend Sec. 1 (Sec. 1012), page 3, line 9, by inserting after "in": "substantially equal"; amend Sec. 1 (Sec. 1012), page 3, line 15 by striking out the brackets before and after "and" and inserting immediately thereafter: "or note secured by a"; amend Sec. 1 (Sec. 1012), page 3, line 16, by inserting after "or": "deed of trust or"; amend Sec. 1 (Sec. 1012), page 3, line 17, by striking out the brackets before "two" and after "thirds" and inserting immediately thereafter: "or"; amend Sec. 1 (Sec. 1012), page 3, line 17, by inserting after "quarters": "as the case may be"; amend Sec. 1 (Sec. 1012), page 4, line 1, by inserting after "bond": "note"; amend Sec. 1 (Sec. 1012), page 4, line 1, by inserting after "mortgage": "deed of trust"; amend Sec. 1 (Sec. 1012), page 4, line 11, by inserting after "mortgage": "deed of trust"; amend Sec. 1 (Sec. 1012), page 4, line 11, by striking out "judgement" and inserting: "judgment"; amend Sec. 1 (Sec. 1012), page 4, line 13, by inserting after "mortgage": "deed of trust"; amend Sec. 1 (Sec. 1012), page 5, line 4, by inserting after "bonds": "or notes"; amend Sec. 1 (Sec. 1012), page 5, line 5, by inserting after "mortgages": "or deeds of trust"; amend Sec. 1 (Sec. 1012), page 5, line 8, by inserting after "bonds": "or notes"; amend Sec. 1 (Sec. 1012), page 5, line 8, by inserting after "mortgages": "or deeds of trust"; amend Sec. 1 (Sec. 1012), page 5, line 16, by inserting after "bonds": "or notes"; amend Sec. 1 (Sec. 1012), page 5, line 16, by inserting after "mortgages": "or deeds of trust"; amend Sec. 1 (Sec. 1012), page 6, line 2, by inserting after "bonds": "or notes"; amend Sec. 1 (Sec. 1012), page 6, line 2, by inserting after "mortgages": "or deeds of trust"; amend Sec. 1 (Sec. 1012), page 6, line 10, by inserting after "bonds": "or notes"; amend Sec. 1 (Sec. 1012), page 6, line 11, by inserting after "mortgages": "or deeds of trust."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. PROPERT offered the following amendments:

Amend Title, page 2, next to last line of Title, by striking out "and" where it appears the first time and inserting: "or notes secured by"; amend Title, page 2, next to last line of Title, by inserting after "mortgages": "or deeds of trust."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent



that Senate Bill No. 814, Printer's No. 940, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 141, entitled:

An Act imposing liability upon parents for the wilful and malicious acts of children over seven and under seventeen years of age setting forth limitations and providing procedure for recovery.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 280, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 463, entitled:

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected . . ." requiring memorial halls to contain rooms for meetings of the Italian American World War Veterans of the United States Incorporated and further regulating the composition of the board of control of the memorial hall.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 464, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 465, entitled:

An Act amending the act of April 8, 1867 (P. L. 50)

entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the peddling of labeled flowers of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 469, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," providing rooms for use of the Italian American World War Veterans of the United States Incorporated and for its membership on the board of control.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 719, entitled:

An Act authorizing the display of the American War Mothers' banner on the main building of the State Capitol on the Commonwealth on Veterans' Day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows, infant children or dependents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees' Retirement Code of 1959," changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1936, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commis-

sioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State-owned land surrounding said lake for fishing hunting recreational and park purposes" designating the lake area on which motor boats may be operated and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### PETITIONS AND REMONSTRANCES

Mr. MAHADY. Mr. President, over the week end, it was incumbent upon me, as the head of the family, to go out and look for a storm door. In doing so and in pricing them, I found that the price was \$69.50. However, if I would purchase this door, installed, they would add \$3.90. To me, this meant nothing, except that I inquired about the sales tax. They told me that they absorbed the sales tax. However, when it was an installed item, instead of paying a sales tax on the \$69.50, they paid the sales tax on the wholesale cost to them of that item, or \$30. In other words, by me having it installed by the fellow who sold it to me, the Commonwealth did not receive the difference of the tax on \$69, practically \$70, and \$30, which is practically the sales tax on \$40 difference.

I investigated and also found that this applies where roofing is installed. On anything which has an installation cost to it, they go back and charge millions and millions of dollars less in Pennsylvania, over a year, due to the fact that where an item is installed, the wholesale price only is liable for the sales tax.

If you will look in your banking statements, on F.H.A. Title No. 1, there are millions and millions of dollars in

purchases for improvements. Many more things which are installed do not come under these loans. Therefore, there is a fantastic loss to the Commonwealth of Pennsylvania when things are purchased to be installed.

Mr. President, I think the Appropriations Committee of this Senate should look into this matter, because there is a loss in sales taxes of millions of dollars each year due to the fact that installed items, or items for home improvements, if you want to put it that way, are charged on the wholesale price rather than the retail price, when there is an installation involved.

I investigated a little further and found that under the West Virginia Act, they plugged this loophole some years ago. If the Appropriations Committee is looking for a guide, I recommend that it look at the West Virginia Act. This will make a lot of difference, particularly when we are looking for extra money for our schools. Looking at it and estimating, I assume that there would be almost enough money to cover the demands which the schools are making on us in this loss on this item, alone.

Therefore, Mr. President, I think this is worthy of our consideration.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, July 28, 1959, at 12:00 o'clock, m., Eastern Standard Time.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:45 o'clock, p. m., Eastern Standard Time, until Tuesday, July 28, 1959, at 12:00 o'clock, m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, July 27, 1959

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Chair announces with profound sorrow the death on Sunday, July 26, of the Honorable John R. Haudenshield, late a Member of this House representing the 15th District of the County of Allegheny.

As a mark of respect to his memory the Chair requests that at the conclusion of the prayer we stand in silence with head bowed until the gavel sounds.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

God, our Father, Who art in the midst of life and dost call men to come and follow Thee; we approach Thy throne of mercy in deepest humility as we endeavor to put our hearts and minds in tune with Thee; grant to each one of us the most profound trust and confidence in Thee who art the author and finisher of our faith; and instill within the life of each one of us the peace which only Thou canst give.

We pause in the solemnity of this hour to pay a parting tribute to one who served this House for many years. The Honorable John R. Haudenshield was called to his eternal rest yesterday. He was presently serving his tenth term as a Member of the House of Representatives and the kind and thoughtful deeds he performed will long linger in the hearts of those who knew him.

O God, we ask Thy gracious love and unbounded mercy upon this General Assembly; fill them with the unfailing task and responsibility of furthering Thy kingdom; and lift them with Thy eternal power and endless glory. In Jesus' name and for His sake, we pray. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, July 13, Tuesday, July 14 and Wednesday, July 15, 1959? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, July 22, 1959 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

• By Messrs. POLEN, GAILEY, McDONALD and PRENDERGAST. HOUSE BILL No. 2240.

An Act amending the "Commerce Law," approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

Referred to the Committee on State Government.

By Messrs. A. D. WILLIAMS, McCANN and A. W. JOHNSON. HOUSE BILL No. 2241.

An Act amending the "Selective Sales and Use Tax

Act," approved March 6, 1956 (P. L. 1228), changing the application of the tax to licensed radio and television stations.

Referred to the Committee on Ways and Means.

By Mr. LOPRESTI. HOUSE BILL No. 2242.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) defining indecent assault, making it unlawful and providing penalties.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS and LOPRESTI. HOUSE BILL No. 2243.

An Act amending the act of April 27, 1909 (P. L. 260), entitled "An act providing for the return of all surety of the peace and desertion cases, \* \* \* and also providing that bail in such cases shall be taken for an appearance forthwith," changing the time when surety of the peace cases are returnable to court.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS and LOPRESTI. HOUSE BILL No. 2244.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), making district attorneys eligible to hold the office of solicitor of political subdivisions and certain public bodies.

Referred to the Committee on Counties.

By Messrs. TOMPKINS and LOPRESTI. HOUSE BILL No. 2245.

An Act amending "The Game Code" approved June 2, 1937 (P. L. 1225), increasing the minimum penalty for killing human beings in mistake for game.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS and LOPRESTI. HOUSE BILL No. 2246.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) defining petit malicious injury to property, making it unlawful and providing penalties.

Referred to the Committee on Judiciary.

By Mr. LOPRESTI. HOUSE BILL No. 2247.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) changing penalties with respect to burglary of a dwelling house.

Referred to the Committee on Judiciary.

By Mr. LOPRESTI. HOUSE BILL No. 2248.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS, DEVLIN and LOPRESTI. HOUSE BILL No. 2249.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) defining homicide by motor vehicle; making it unlawful and providing penalties.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS, DEVLIN and  
LOPRESTI. HOUSE BILL No. 2250.

An Act amending "The Penal Code," approved June 24, 1929 (P. L. 872), extending the provisions relating to indecency and providing penalties.

Referred to the Committee on Judiciary.

By Mr. DOUGHERTY. HOUSE BILL No. 2251.

An Act amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208) increasing the rate of tax for a limited time.

Referred to the Committee on Ways and Means.

By Mr. DOUGHERTY. HOUSE BILL No. 2252.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' \* \* \*," increasing the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Referred to the Committee on Ways and Means.

By Mr. DOUGHERTY. HOUSE BILL No. 2253.

An Act reenacting and amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208), extending the provisions of the act to include mutual life insurance companies and mutual savings banks.

Referred to the Committee on Judiciary.

By Mr. DOUGHERTY. HOUSE BILL No. 2254.

An Act reenacting and amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), extending the provisions of the act to include mutual life insurance companies and mutual savings banks.

Referred to the Committee on Judiciary.

## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. CURWOOD, BRETH and WILLARD.  
RESOLUTION No. 95.

In the House of Representatives, July 22, 1959.

Whereas angling in Pennsylvania is of vital interest to hundreds of thousands of men, women and children and affords a great source of pleasure and recreation throughout our Commonwealth; and

Whereas during the past few years the sale of fishing licenses has declined alarmingly and has led to an unusual depreciation in the funds available for the continuation of this great sport; and

Whereas both the sportsmen and the public are entitled to be heard and express themselves regarding the reasons for this unusual decline in the sale of fishing licenses; therefore be it

Resolved, That the House of Representatives instruct the Committee on Fisheries of the House of Representatives to look thoroughly into this situation and hold open public hearings to permit all citizens to be heard in this matter in order that the great sport of angling can continue to attract additional thousands of our citizens; and be it further

Resolved, That the said Fisheries Committee may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into, and to produce such books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the

laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before it; and be it further

Resolved, That the committee shall make a report of its findings together with its recommendations for appropriate legislation to the House of Representatives as soon as possible during this session of the General Assembly.

Referred to the Committee on Rules.

By Mr. A. D. WILLIAMS. RESOLUTION No. 96.

In the House of Representatives, July 22, 1959.

Whereas, I have seen what to me appears to be hazardous conditions in the State Museum and certain of our State Teachers' Colleges; and

Whereas, I am advised that similar conditions exist in the other State Teachers' Colleges and in various State office buildings; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five House members to investigate the apparent failure of Secretary of Labor and Industry, William L. Batt, Jr., to properly check the various State buildings, and especially the State Museum on Capitol Hill, and the buildings used by the fourteen State Teachers' Colleges in this Commonwealth, for fire hazards.

Referred to the Committee on Rules.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. FARABAUGH because of illness.

Mrs. Varallo for Mr. J. P. O'DONNELL because of illness.

Mr. Tompkins for Mr. McINROY for the week.

## SENATE MESSAGE

### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, July 21, 1959.

Resolved (if the Senate concur), that House Bill No. 1427, Printer's No. 702, entitled "An act amending the act of May 4, 1927 (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' permitting council to request that a certified check accompany bids for contracts," be recalled from the Governor for the purpose of amendment.

## RESOLUTION

### RECALLING HOUSE BILL NO. 1659 FROM THE GOVERNOR

Mr. EILBERG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 27, 1959.

Resolved (if the Senate concur), that House Bill No. 1659, Printer's No. 681, entitled "An act amending the act of April 29, 1959 (Act No. 32) entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' by extending power of police officers to remove all abandoned or wrecked vehicles and tractors," be recalled from the Governor for further consideration.



Ordered, That the Clerk present the same to the Senate for concurrence.

### SENATE MESSAGE

#### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 27, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 3, 1959 at two o'clock p. m., EST and when the House of Representatives adjourns this week, it reconvene on Monday, August 3, 1959 at three-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### COMMITTEE TO ATTEND FUNERAL OF JOHN R. HAUDENSHIELD

The SPEAKER. The Speaker appoints the Members of the House representing the County of Allegheny, together with the officers of the House and all of the Members desiring to attend as a special committee, to attend the funeral services of the late Honorable John R. Haudenschild, on Wednesday, July 29, at 2:30 p. m., Daylight Saving Time, at the Fulton-Bradwell Funeral Home, Carnegie.

The Chief Clerk will have charge of the arrangements for the House delegation.

### REPORTS FROM COMMITTEE

Mr. DEVLIN from the Committee on Rules, reported as amended, House Bill No. 2216, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Bill No. 2142, entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission, providing for its membership, defining its powers and duties, imposing duties on the State Council of Education, and making an appropriation.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Resolution No. 83.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Resolution No. 95.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Resolution (Not Printed).

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2142 entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission, providing for its membership, defining its powers and duties, imposing duties on the State Council of Education, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2237 entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### REPORT OF JOINT LEGISLATIVE COMMITTEE KNOX MINE DISASTER

Mr. MUSTO. Mr. Speaker, in compliance with Resolution No. 19, I offer the report of the Joint Legislative Committee to investigate the Knox Mine Disaster.

The SPEAKER. The report will be noted in the Legislative Journal and printed in full in the Appendix.

Mr. MUSTO. To ask if any Member has not got a report on his deck, if he asks for it, it will be delivered to him.

### PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, last week I took the floor to ask the Speaker a couple of questions concerning his weekly newsletter, if you want to call it such, at which time he said he would answer me not in person from the Chair but would answer me in the next issue of "Dispelling the Fog".

I received that answer today and I believe that he has clarified it so far as I am concerned, because he says that he was referring, when he mentioned "bubbling neophytes" to the enthusiastic newer Members on both sides of the aisle.

I am happy with that explanation, Mr. Speaker, and I am also very happy for the fine course that you have given me in your letter today on the subject of semantics. I did not realize what that was until I looked it up in the dictionary also. So I believe I have had at least a slight training this week in being able to improve my vocabulary.

I was wondering how I could properly thank the Speaker for giving me that lesson. So I went to the trouble to look up a word which I thought perhaps described him. In looking that up I found a number of words that I thought I might use. One of them was a giant of learning, but I hesitate to say he is a giant of learning, although he is a very learned man, because of his size.



Then I thought I could refer to him perhaps as a walking encyclopedia, because over the years in his newspaper work, and his work on the floor of this House he has proven that he knows how to use all the big words in the dictionary. Certainly he might be called a master mind, a man of genius, but the word that I like to use more than any other is that of lexicographer. That is a person who makes a study of words and writes books such as a dictionary.

But to properly thank him I am only going to say to the Speaker of the House, thank you, Professor Andrews.

The SPEAKER. The Chair thanks the gentleman for not calling him some of the things that some other people have called him.

The SPEAKER. The House will be at ease while the Floor Leaders complete their marking of the calendar.

If someone desires to address the House for perhaps four or five minutes, now would be the occasion. The Floor Leaders want to make speeches, but they do not want to speak while the other one is marking the calendar.

The gentleman from Cameron wants to make a speech but he wants to make it when the Floor Leaders are not busy so they can listen, but if there is someone on the floor who wants to take advantage of this opportunity to say something worthwhile he may do so.

PERMISSION TO ADDRESS HOUSE

Mr. YETTER asked and obtained unanimous consent to adress the House.

Mr. Speaker, ladies and gentlemen of the House, for some time I have been waiting for this opportunity. Last week we passed a lot of bills in regard to safety on the highways. I think we should do something if the Police Commissioner or the administration does not. We should take the lead to have more State Police and better paid State Police.

I think we have a good police force, but they should have more help. Just in the last two weeks the Police Commissioner was in my county and decided to close up one of the police barracks. I read in the paper where he made the statement that he is going to improve the police protection in our county by taking three of the State Police out of our county.

Mr. Speaker, I would like to know how they perform those miracles, by closing the police barracks in a thickly populated section of the county, and taking three of the State Police out of the county, how that is going to improve the police protection.

I think we should do something to increase the State Police who are patrolling our highways instead of decreasing them.

PERMISSION TO ADDRESS HOUSE

Mr. STROUP asked and obtained unanimous consent to address the House.

Mr. Speaker, since the matter has been brought up by Mr. Yetter, I thought I would contribute something to the statement he has made.

A comparison of the salary schedule of the State Police is very interesting. I just want to deal with the Trooper alone.

In Pennsylvania the annual base salary for a trooper begins at \$3,549, and in the 25th year he receives \$4,758.

In New Jersey the begining base salary is \$4,104; in Ohio the beginning base salary for the trooper is \$5,040; in Maryland the beginning salary is \$3,575; in Michigan \$4,448; in West Virginia \$3,000 and in New York \$3,150.

A comparison of the beginning salaries for state patrolmen reveals that Pennsylvania, comparatively speaking, is very low. By the 25th year in all of the states that are mentioned practically everyone of those troopers who maintain that particular status in other states are receiving higher salaries than those that are given to them in their employment in the state of Pennsylvania.

So, I would like to support the statement that has been made by the gentleman that attention should be given to increasing the base salaries of our state Patrolmen.

INTERROGATION

Mr. TOMPKINS asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. TOMPKINS. Mr. Speaker, last Wednesday during our session here the gentleman from Indiana Mr. Buchanan, asked for a long roll call on House Bill No. 1460, and the vote was 108 to 66 or a total of 174. The previous roll call on House Bill No. 1411 was 177 to 7 or 184. The next one was 185 to 0, on House Bill No. 1562. I only requested the long roll call on House Bill No. 2134, and the vote was 187 to 1, or a total of 188.

I understood that a 10 vote error was found, because on the succeeding rolls they were announced by the Speaker as 188 to 0, but were changed on the record to 178 to 0. I would like to have that information verified or denied for the information of this House and for the better keeping of our rolls.

Mr. McCANN. Mr. Speaker, I have sent downstairs and gotten the calendar for Wednesday, July 22nd, which was the last working day of last week.

Would you start now with the bills, and these are the marks as announced by the Speaker at the time of announcing the roll call. Begin on whichever one you want.

Mr. TOMPKINS. House Bill No. 1460.

Mr. McCANN. House Bill No. 1460 would appear on page 12 of last Wednesday's calendar, and 1460 was announced by the Speaker as 108 aye, 66 nay.

Mr. TOMPKINS. A total of 174.

Mr. McCANN. That is a total of 174. That was a slow roll call and the marks indicated—my marks indicated—lots of "no" Republican votes.

Mr. TOMPKINS. I am not interested in which side voted "no", I am interested particularly in what the total count was.

Mr. McCANN. All right. 108 to 66 was the official announcement of the Speaker following the end of the roll call on House Bill No. 1460, Printer's No. 1140, on page 12 of last Wednesday's calendar.

Mr. TOMPKINS. What was the announced roll call on House Bill No. 1411? That was a bill that was voted on immediately prior to —

Mr. McCANN. House Bill No. 1411, which was the first bill on page 12. House Bill No. 1411 was, aye 177, nay 7. This was with the negative vote standing and then called off by name.

Mr. TOMPKINS. That is a total of 185.

Mr. McCANN. No, 184, sir. 177 to 7.

Mr. TOMPKINS. 184, I am sorry.



What does your calendar show as to the vote on House Bill No. 1562?

Mr. McCANN. On 1562, on page 12, was a fast roll call 185 to 0, with no negative votes.

Mr. TOMPKINS. Then, what does your record show on House Bill No. 2134?

Mr. McCANN. On 2134, page 13 of last Wednesday's calendar the vote was 187 to 1.

Mr. TOMPKINS. A total of 188?

Mr. McCANN. That is correct, sir.

The SPEAKER. The Chair might, for the information of the gentleman from Cameron and the gentleman from Greene, on 2134 on quick calculation there was an error of 10 votes, which of course did not affect the result and which was corrected in subsequent roll calls.

Mr. TOMPKINS. Mr. Speaker, the very thing I am trying to get at is this: That subsequent roll calls do use the 188 figure to arrive at the final tally, when it should have been 178. Now, there were quite a number of no votes on subsequent bills, on which the basic figure of 188 was used to calculate the final count. Whether or not it would have changed the results of any of those subsequent bills, I do not know, but it looks very much as though it may have.

Mr. McCANN. Mr. Speaker, if I may enlighten the gentleman, I cannot see how it could change any roll call. All of these were affirmative votes, whether they are 178 or 188. On the bill that you requested, the one particular bill, there was a very slow roll call with only those in their seats answering, and that was House Bill No. 1460 on page 12.

Mr. TOMPKINS. That is right.

Mr. McCANN. Therefore, what I am saying to the gentlemen from Cameron, Mr. Speaker, is that I do not have any information on any of the roll calls, whether it was 178 or 188, which would change the result of any of the bills.

Mr. TOMPKINS. It may or may not have changed the results on any of the calls in question on last Wednesday, but I am authorized to state on behalf of the Republicans that they took caucus action this afternoon that they will not consent to anymore consent calendars, that we will not stand for any more fast roll calls, unless we have accurate counts to support them.

Furthermore, the Republicans went on record this afternoon in their caucus, we know it cannot be done this Session perhaps, but we went on record in favor of supporting an electric roll call for this House, both for the speed which it would give in the work of this House and for the accuracy which it would promote and for the elimination of confusion which seems to arise every time we have a roll call in the House.

Mr. McCANN. Mr. Speaker, do I understand the gentleman from Cameron, Mr. Tompkins, that beginning today, we have no fast roll calls even though some bills on today's callendar, as we approach them, are, shall we say, unanimously agreed to by both parties and no opposition in either caucus of the passage of the bill?

Mr. TOMPKINS. Only for the Members who are present.

Mr. McCANN. Well, Mr. Speaker, who else ever votes except the Members that are present and vote aye or nay?

Mr. TOMPKINS. What roll call would you use in order to establish the count?

Mr. McCANN. Well, let us say the first roll call of the day.

The SPEAKER. Could the chair intervene from his post where he has been in a position to watch the ebb and flow of the membership from roll call to roll call?

You will find that after an important roll call various Members get up and leave the floor. They will then return, if the bell is rung, for an important bill, but after you get an established roll call and they are temporarily absent, I imagine that they are included in the affirmative, especially in those cases where the Chair asks, "Are there any negative votes?"

Unless you are going to have the membership in the House all of the time, you are going to lengthen the Session which is quite all right with the Chair. I watch the Members come and go, I even see, sometimes when there is a bill upon which a Member might not like to vote, that for that particular five minutes he is not in the Hall of the House. That sometimes happens.

I hope the leadership will get together on some plan of getting a basic roll call, getting a negative vote. The only thing that happens is that sometimes Members, when a leave of absence is not asked for, because there was no leave of absence asked for them, they are included in the list of those present and voting. Now if we are going to get down to cases I think if the Member is not in the Hall of the House and no leave of absence has been asked for him that he be considered absent.

Mr. TOMPKINS. In that case, Mr. Speaker, I think if the Member does not answer he should be recorded as absent or not voting.

We have one case, entered on page 2163 of the Journal of this Session, where the party was marked as absent on the first roll call, but on all of the subsequent roll calls he was voted on all the bills as voting aye. If we are going to get a basic roll call of some kind and as the Speaker has stated, if a person goes out of the Hall of this House for the purpose of avoiding a vote on a bill, one way or the other, then that party should be recorded as not voting.

We come up to the same parliamentary question that I raised last week, can a duly elected Member of this House sit in his seat in this chamber on a roll call and refuse to vote?

Mr. McCANN. Mr. Speaker, the case that the gentleman has brought before the House, if a roll call today, for example, was 200 on the first roll call, and the person he speaks of was not in the House on the original roll call and then walked in on a subsequent bill, he certainly would be recorded on all roll calls following the first bill. I believe you have stood here and seen that happen every day of the legislative session. I believe it is in proper order.

This is what we are faced with. If we are going to have a slow roll call on every bill, then at this point all agreements are withdrawn as to stopping hours of the House. We had an agreement between the two parties that we would try to work to a certain hour so that the members would have an opportunity to eat and to get out of here at a certain hour in the evening. For example, last week we worked right to the dot on Wednesday and left. Another hour would certainly have been helpful to all of us, but an agreement is an agreement. This came about following the Session in which we worked until nine

something in the evening. But, if there is going to be a slow roll call demanded on every bill, I believe that I have a right on behalf of the Meubers on my side, to withdraw all agreements as to working hours, as to the end of each day's Session.

Mr. TOMPKINS. Mr. Speaker, on this side of the House we do not propose to have a pistol held at our heads to have this House function in the manner in which it should function.

Mr. McCANN. Mr. Speaker, I would still like to have the gentleman from Cameron explain to the House what is wrong with any roll call that is now on record, or any system used last week or any previous day in which I asked at this microphone, for example, on every bill, if the bill met with the approval of the gentleman from McKean, Mr. Johnson, as to a fast roll call. He indicated their position of fast or slow roll call. Is there objection to that procedure?

Mr. TOMPKINS. If there is no controversy in the bill and nobody wants to raise an objection to a bill, then I say that we should have an accurate roll call. In those cases where there is agreement on both sides of the House, I would agree that perhaps we can have a fast roll call because there would be no negative votes voted by the members who are present on the count for the day.

The SPEAKER. Could the Chair ask the gentleman from Cameron a question?

Has the Chair ever in his recent memory proposed a fast roll call without consulting both Floor Leaders?

Mr. TOMPKINS. I do not know that the Chair has done that, but what we have been doing, Mr. Speaker, is to establish a roll call at the beginning of the day and use that as a basis upon which you calculate all your subsequent roll calls, and we just do not think it is fair.

The SPEAKER. The Chair desires to say to the Membership that he will be guided, absolutely guided, in the future, as in the past, by whatever arrangements are made by the respective Floor Leaders. When they inform the Chair that such an arrangement has been made, the Chair will act in conformity, unless some Member on the floor exercising his proper rights advises or moves that another course be taken.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, the thing I want to talk about is the dispatch in the Sunday newspapers issued out of the Governor's office, and I am reading now from the Philadelphia Inquirer which says in substance as follows: A recently constructed 700-bed wing for mental patients at Emoryville State Hospital in Chester County remains empty because the Legislature has failed to provide \$192,803 to purchase equipment necessary to its operation.

This was disclosed Saturday by Governor David L. Lawrence who said the funds were tied up in the tax and budget deadlock which has gripped the Legislature for nearly five months.

I want to refute this statement, Mr. Speaker, and I will give you the reasons why.

For one thing, this building was turned over by the General State Authority to the Department of Welfare on April 1 of this year. I would say that we have passed a tax program to date which will bring in a figure we

have agreed upon as \$1.674 billion. Had this House of Representatives known in March or April that this building was turned over and that they needed money for personnel and for equipment, that there were people standing in line to be admitted to mental hospitals, we certainly, in this House, would have passed a special appropriation bill which would have provided the \$192,000 and would have set up enough money to get the hospital in operation during the first six months.

Therefore I say that the Governor's office has been derelict in not telling us, and I say this, that means both Democrats and Republicans. We have a very able Chairman of the Appropriations Committee, and I am sure had he received a message that it was absolutely imperative that we pass bills to take care of that situation they would long since have been on the statute books.

It is not the fault of this Session of the General Assembly. It is not because of any budget hold-up because we have failed to pass taxes, for, as I say, there is \$1.674 billion worth of taxes on the books now and this would be a preferred appropriation which the Governor could sign without having a certification as to the full revenue picture for the biennium.

Dr. Davis says because the money was not available at this time, acutely ill and senile patients must wait in line for admittance and cannot be accommodated. I have checked the situation at Emoryville and I find that the capacity, that is the present enrollment, is 750 patients. capacity, this is the present enrollment, is 750 patients. In other words, in the hospital itself, not counting the new wing for 700 beds, there is room for 200 persons.

Also I checked the payroll and found that in the last two weeks of the biennium the payroll was \$42,085. The last current payroll for the two-week period was \$41,790, or three less employees. Surely there are not people standing in line waiting to get into mental institutions when there is room for 200 people in Emoryville now without even passing an appropriation.

In order to do the job so that we will not be further blamed, I have two bills prepared and I am asking them to be co-sponsored on the other side.

No. 1 will give them the \$192,000 for equipment and the second will provide a stop-gap appropriaton for the first six months of operation. If we have failed to do the job because the Governor did not ask us to do it, we will take the bull by the horns here and now on these bills and do the job.

Also, while I am at it, as far as Emoryville is concerned, there is right now a bakeshop that has been ready for the last two or three years that has never been opened wherein they would make bread for Emoryville and some of the other institutions in the surrounding area. Why has not that bakeshop been put into effect? The baked goods at Byberry alone cost \$121,000 a year. Therefore, I have bills prepared to pass this appropriation.

Again I repeat, the Governor should have told us last March that he wanted this money, and for the little sum that it is, it could have been done. Do not blame us now and do not use that as a stick to clobber us with and appeal to the hearts of the people of Pennsylvania, that because we in this General Assembly have not passed this appropriation hundreds of people are standing in line to get into mental institutions. The facts do not bear that out.



## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 63, entitled:

An Act amending the act of April 29 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code and the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" prohibiting drag races and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind paraplegic and double or quadruple amputee veterans from the payment of certain real property taxes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1430, entitled:

An Act repealing section 1035 act of April 29 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1651, entitled:

An Act amending the "Pennsylvania Labor Relations Act" approved June 1 1937 (P. L. 1168) changing the definition of employer deleting certain provisions increasing the discretionary power of the board and extending the time limits for certain procedures.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 171, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" providing that the zoning board of adjustment must give their decision within forty-five days.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 223, entitled:

An Act amending the act of May 13 1925 (P. L. 644)

entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during time of combat.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading .

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 286, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1293, entitled:

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897) further defining "unemployed" as to members of the General Assembly.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public

Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1639: entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16 1923 (P.L. 207) extending the term of the lien of certain municipal claims the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to six years.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax \* \* \* not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate which such claims or judgments were originally assessed uncertain certain terms and conditions.

And said bill having been read at length, the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1883, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2 1915 (P. L. 736) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1900, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act" approved October 27 1955 (P. L. 744) prohibiting discrimination in employment because of membership in the National Guard or a reserve component of the armed services of the United States in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27 1949 (P. L. 1903) providing for promotions for certain persons.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 37, entitled:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing temporary investment of township funds.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 141, entitled:

An Act amending the act of June 24 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "The First Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WILLAREDT offered the following amendments:

Amend Sec. 1 (Sec. 3107), page 4, line 12, by inserting after "hearing": or if said hearing is continued, within forty-five days after said continued hearing.

Amend Sec. 1 (Sec. 3107), page 4, line 14, by inserting after "hearing": or continued hearing.

Amend Sec. 1 (Sec. 3107), page 4, line 15, by striking out "aggrieved".

Amend Sec. 1 (Sec. 3107), page 4, line 15, by inserting after "officer": aggrieved or

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 325, entitled:



An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 372, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," providing for deferment of payment of a portion of the salary of officers or employes for more than twelve months.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing that no person holding the office of justice of the peace shall act as secretary or secretary-treasurer of the board of township supervisors.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SNARE offered the following amendments:

Amend Sec. 1 (Sec. 511), page 2, line 11, by inserting brackets before and after "shall" and inserting immediately thereafter: may

Amend Sec. 1 (Sec. 511), page 2, line 12, by inserting brackets before and after "except where" and inserting immediately thereafter: Where

Amend Sec. 1 (Sec. 511), page 2, lines 13 and 14, by inserting a bracket before "in" in line 13 and after "case" in line 14.

Amend Sec. 1 (Sec. 511), page 2, line 15, by striking out "secretary or"

Amend Sec. 1 (Sec. 511), page 2, line 16, by inserting after "treasurer": but may act as secretary

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Huntingdon, Mr.

Snare, to Senate Bill No. 387, Printer's No. 419. I ask that the amendments be defeated and that the contents of the bill be kept as now on the House calendar.

I will be satisfied with a division if the Minority Floor Leader is satisfied.

Mr. A. W. JOHNSON. I believe the sponsor of the amendments will take a division, Mr. Speaker.

On a rising vote, seventy-six Members having voted in the affirmative and ninety in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. SNARE. Mr. Speaker, I withdraw my amendments to the title.

#### MOTION TO RECOMMIT

Mr. YETTER. Mr. Speaker, I move that this bill be re-committed to the Committee on Townships.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, a motion has been made by the gentleman from Monroe, Mr. Yetter, to recommit the bill, Senate Bill 387, Printer's No. 419, to the Committee on Townships. I rise to oppose the motion to recommit.

Mr. YETTER. Am I in order to talk on my motion?

The SPEAKER. The gentleman is in order to talk on the motion to recommit; not in order to talk upon the merits of the bill in question.

Mr. YETTER. This is an unfair bill, and I ask support to recommit the bill.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 405, Printer's No. 670 was passed over at the request of the SPEAKER.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. REIDENBACH asked and obtained unanimous consent to add additional sponsors to bills and a joint resolution to be introduced by him.

#### BILLS ON FINAL PASSAGE

#### RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1530, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L.) No. 32 by providing that no registration plates shall be issued to any person who has failed to pay for previously issued plates.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Agnew,	Galley,	McCormack,	Rudisill,
Anderson,	Gallagher,	McDonald,	Sakulsky,
Arlene,	Garlock,	McKeever,	Scarcell,
Ashton,	Gelfand,	McLaughlin,	Schaaf,
Auker,	George,	Machmer,	Schwartz,
Balthaser,	Gibb,	Magee,	Seltzer,
Barton,	Goldstein,	Mahan,	Sherman,
Bell,	Goodrich,	Maxwell,	Shupnik,
Blair,	Gramlich,	Meholchick,	Silverman,
Boies,	Guthrie,	Merry,	Snare,
Bonner,	Hamilton,	Miller, B. Z.,	Snider,
Boris,	Heffner,	Miller, H. G.,	Stank,
Bower,	Helm,	Mills,	Steckel,
Bowman,	Henzel,	Monroe,	Stevens,
Branca,	Holliday,	Muldowney,	Stewart,
Brenninger,	Holt,	Mullen,	Stimmel,
Breth,	Horst,	Munley,	Stone,
Brown,	Irvins,	Murphy, A. J., Jr.	Stoner,
Buchanan,	Isaacs,	Murphy, P. J.,	Strausser,
Burns,	Jenkins,	Murray, H. P.,	Stroup,
Capano,	Jim,	Murray, P. G.,	Sullivan,
Cloffi,	Johnson, A. W.,	Musto,	Taylor,
Clarke,	Johnson, R.,	Needham,	Tompkins,
Crossin,	Jones, F. R.,	Nelson,	Trusio,
Curwood,	Jones, T. H. W.,	O'Dell,	Ujobai,
Davis,	Jump,	O'Donnell, J. A.,	Varallo,
Dengler,	Kamyk,	Odorisio,	Varner,
Dennison,	Kee,	Ogilvie,	Verona,
Devlin,	Kelser,	O'Neil,	Wall,
Donahue,	Kernaghan,	Parlante,	Walsh,
Donaldson,	Kessler,	Pashley,	Wargo,
Dougherty,	Knecht,	Perry, H. H.,	Weidner,
Edwards,	Kooker,	Perry, P. E.,	Welsh,
Ellberg,	Kornick,	Petrosky,	Wheeler,
Eshback,	Kovolenko,	Polaski,	Whittaker,
Eshleman,	Kubitsky,	Polen,	Williams, A.D., Jr.,
Ewing,	Lamb,	Prendergast,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Price,	Willard,
Filo,	Lee, K. B.,	Pursley,	Willaredt,
Fineman,	Leonard,	Reibman,	Wood,
Floyd,	Light,	Reidenbach,	Worley,
Flynn,	Lippincott,	Renwick,	Wynd,
Foerster,	Lopresti,	Rigby,	Yatron,
Fox,	Lulgard,	Riley,	Yetter,
Frank,	Lutty,	Rovanse,	Zimmerman,
Frascella,	McCandless,	Royer,	Andrews,
Fulmer,	McCann,		Speaker

## NAYS—6

Hocker,	Markley,	Wescott,	Wynd,
Korns,	Naugle,		

## NOT VOTING—17

Capitolo,	Down,	McInroy,	O'Donnell, J. P.
Cianfrani,	Farabaugh,	Mihm,	Schuster,
Comer,	Heavey,	Moran,	Thompson,
Cooper,	Limper,	Murray, J. J.,	Wilt,
Dennis,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1665, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) clarifying the term "child" or "children" when it is used to indicate their entering or leaving a school bus.

On the question,

Shall the bill pass finally?

Mr. McCANN, Mr. Speaker, on page 6, House Bill 1665, Printer's No. 1169, indicated that there was no op-

position in either caucus to the amendments placed in the bill. This bill is satisfactory for a fast roll call.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Agnew,	Gallagher,	McCormack,	Rudisill,
Anderson,	Garlock,	McDonald,	Sakulsky,
Arlene,	Gelfand,	McKeever,	Scarcell,
Ashton,	George,	McLaughlin,	Schaaf,
Auker,	Gibb,	Machmer,	Schwartz,
Balthaser,	Goldstein,	Magee,	Seltzer,
Barton,	Goodrich,	Mahan,	Sherman,
Beil,	Gramlich,	Markley,	Shupnik,
Blair,	Guthrie,	Maxwell,	Silverman,
Boies,	Hamilton,	Meholchick,	Snare,
Bonner,	Heffner,	Merry,	Snider,
Boris,	Helm,	Miller, B. Z.,	Stank,
Bower,	Henzel,	Miller, H. G.,	Steckel,
Bowman,	Hocker,	Mills,	Stevens,
Branca,	Holliday,	Monroe,	Stewart,
Brenninger,	Holt,	Muldowney,	Stimmel,
Breth,	Horst,	Mullen,	Stone,
Brown,	Irvins,	Munley,	Stoner,
Buchanan,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Burns,	Jenkins,	Murphy, P. J.,	Stroup,
Capano,	Jim,	Murray, H. P.,	Sullivan,
Cloffi,	Johnson, A. W.,	Murray, P. G.,	Taylor,
Clarke,	Johnson, R.,	Musto,	Tompkins,
Crossin,	Jones, F. R.,	Naugle,	Trusio,
Curwood,	Jones, T. H. W.,	Needham,	Ujobai,
Davis,	Jump,	Nelson,	Varallo,
Dengler,	Kamyk,	O'Dell,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kelser,	Odorisio,	Wall,
Donahue,	Kernaghan,	Ogilvie,	Walsh,
Donaldson,	Kessler,	O'Neil,	Wargo,
Dougherty,	Knecht,	Parlante,	Weidner,
Edwards,	Kooker,	Pashley,	Welsh,
Ellberg,	Kornick,	Perry, H. H.,	Wescott,
Eshback,	Korns,	Perry, P. E.,	Wheeler,
Eshleman,	Kovolenko,	Petrosky,	Whittaker,
Ewing,	Kubitsky,	Polaski,	Williams, A.D., Jr.,
Fetterolf,	Lamb,	Polen,	Williams, E. S.,
Filo,	Lee, A. M.,	Prendergast,	Willard,
Fineman,	Lee, K. B.,	Price,	Willaredt,
Floyd,	Leonard,	Pursley,	Wood,
Flynn,	Light,	Reibman,	Worley,
Foerster,	Lippincott,	Reidenbach,	Wynd,
Fox,	Lopresti,	Renwick,	Yatron,
Frank,	Lulgard,	Rigby,	Yetter,
Frascella,	Lutty,	Riley,	Zimmerman,
Fulmer,	McCandless,	Rovanse,	Andrews,
Galley,	McCann,	Royer,	Speaker

## NAYS—0

## NOT VOTING—17

Capitolo,	Down,	McInroy,	O'Donnell, J. P.
Cianfrani,	Farabaugh,	Mihm,	Schuster,
Comer,	Heavey,	Moran,	Thompson,
Cooper,	Limper,	Murray, J. J.,	Wilt,
Dennis,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 514, entitled:

An Act providing for the licensing regulation inspection and supervision of certain day and overnight camps and imposing upon the Department of Health certain powers and duties.



On the question,  
Shall the bill pass finally?

BILL RECOMMITTED

Mr. FINEMAN. Mr. Speaker, I move that this bill be recommended to the Committee on Public Health and Sanitation.  
The motion was agreed to.

BILLS PASSED OVER

There being no objection  
House Bill No. 907, Printer's No. 1181 and  
House Bill No. 988, Printer's No. 1092  
were passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 1057, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels \* \* \*" clarifying certain provisions deleting certain definitions and eliminating certain exemptions from the act and increasing the fee for certificates for boilers and unfired pressure vessels.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—100

Anderson,	Galley,	Meholchick,	Sakulsky,
Arlene,	Gallagher,	Mills,	Scarcelli,
Auker,	Garlock,	Monroe,	Schaaf,
Balthaser,	Gelfand,	Muldowney,	Schwartz,
Bell,	Hamilton,	Mullen,	Sherman,
Boles,	Holt,	Munley,	Shupnik,
Bonner,	Irvis,	Murphy, A. J., Jr.	Silverman,
Branca,	Jenkins,	Murphy, P. J.,	Snider,
Breth,	Jim,	Musto,	Stank,
Burns,	Jones, F. R.,	Needham,	Stewart,
Capano,	Jump,	Nelson,	Stone,
Cioffi,	Kamyk,	O'Donnell, J. A.,	Sullivan,
Clarke,	Kornick,	O'Neil,	Taylor,
Crossin,	Kovolenko,	Pashley,	Trusio,
Curwood,	Kubitsky,	Perry, H. H.,	Varallo,
Devlin,	Lamb,	Petrosky,	Varner,
Dougherty,	Leonard,	Polaski,	Verona,
Ellberg,	Luigard,	Polen,	Walsh,
Filo,	Lutty,	Prendergast,	Wargo,
Fineman,	McCormack,	Reibman,	Welsh,
Floyd,	McDonald,	Reidenbach,	Wheeler,
Flynn,	McKeever,	Renwick,	Williams, A.D., Jr.,
Foerster,	McLaughlin,	Riley,	Yatron,
Frank,	Machmer,	Rovansek,	Yetter,
Frascella,	Maxwell,	Rudisill,	Andrews,

Speaker

NAYS—90

Agnew,	Gibb,	Lippincott,	Seltzer,
Ashton,	Goldstein,	Lopresti,	Snare,
Barton,	Goodrich,	McCandless,	Steckel,
Blair,	Gramlich,	McCann,	Stevens,
Boris,	Guthrie,	Magee,	Stimmel,
Bower,	Helm,	Mahan,	Stoner,
Bowman,	Henzel,	Markley,	Strausser,
Brenninger,	Hocker,	Merry,	Stroup,
Brown,	Holliday,	Miller, B. Z.,	Tompkins,
Buchanan,	Horst,	Miller, H. G.,	Tompkins,
Davis,	Isaacs,	Murray, H. P.,	Wall,
Dengler,	Johnson, A. W.,	Murray, P. G.,	Weidner,
Dennison,	Johnson, R.,	Naugle,	Wescott,
Donahue,	Jones, T. H. W.,	O'Dell,	Whittaker,
Donaldson,	Kee,	O'Dorisio,	Williams, E. S.,
Edwards,	Keiser,	Ogilvie,	Willard,
Eshback,	Kernaghan,	Parlante,	Willard,
Eshleman,	Kessler,	Perry, P. E.,	Wilt,

Ewing,	Kooker,	Price,	Wood,
Fetterolf,	Korns,	Pursley,	Worley,
Fox,	Lee, A. M.,	Rigby,	Wynd,
Fulmer,	Lee, K. B.,	Royer,	Zimmerman,
George,	Light,		

NOT VOTING—18

Capitolo,	Down,	Limper,	Murray, J. J.,
Cianfrani,	Farabaugh,	McInroy,	O'Donnell, J. P.
Comer,	Heavey,	Mihm,	Schuster,
Cooper,	Heffner,	Moran,	Thompson,
Dennis,	Knecht,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 1126, entitled:

An Act amending the "Cooperative Agricultural Non-Stock Association Law" approved June 12, 1919 (P. L. 466) requiring foreign cooperatives to add the word "cooperative" to their name.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Agnew,	Garlock,	McDonald,	Sakulsky,
Anderson,	Gelfand,	McKeever,	Scarcelli,
Arlene,	George,	McLaughlin,	Schaaf,
Ashton,	Gibb,	Machmer,	Schwartz,
Auker,	Goldstein,	Magee,	Seltzer,
Balthaser,	Goodrich,	Mahan,	Sherman,
Barton,	Gramlich,	Markley,	Shupnik,
Bell,	Guthrie,	Maxwell,	Silverman,
Blair,	Hamilton,	Meholchick,	Snare,
Boles,	Heffner,	Merry,	Snider,
Bonner,	Helm,	Miller, B. Z.,	Stank,
Boris,	Henzel,	Miller, H. G.,	Steckel,
Bower,	Hocker,	Mills,	Stevens,
Bowman,	Holliday,	Monroe,	Stewart,
Branca,	Holt,	Muldowney,	Stimmel,
Brenninger,	Horst,	Mullen,	Stone,
Breth,	Irvis,	Munley,	Stoner,
Brown,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Buchanan,	Jenkins,	Murphy, P. J.,	Stroup,
Burns,	Jim,	Murray, H. P.,	Sullivan,
Capano,	Johnson, A. W.,	Murray, P. G.,	Taylor,
Cioffi,	Johnson, R.,	Musto,	Tompkins,
Clarke,	Jones, F. R.,	Naugle,	Trusio,
Crossin,	Jones, T. H. W.,	Needham,	Ujobai,
Curwood,	Jump,	Nelson,	Varallo,
Davis,	Kamyk,	O'Dell,	Varner,
Dengler,	Kee,	O'Donnell, J. A.,	Verona,
Dennison,	Keiser,	O'Dorisio,	Wall,
Devlin,	Kernaghan,	Ogilvie,	Walsh,
Donahue,	Kessler,	O'Neil,	Wargo,
Donaldson,	Knecht,	Parlante,	Weidner,
Dougherty,	Kooker,	Pashley,	Welsh,
Edwards,	Kornick,	Perry, H. H.,	Wescott,
Ellberg,	Korns,	Perry, P. E.,	Wheeler,
Eshback,	Kovolenko,	Petrosky,	Whittaker,
Eshleman,	Kubitsky,	Polaski,	Williams, A.D., Jr.,
Ewing,	Lamb,	Polen,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Prendergast,	Willard,
Filo,	Lee, K. B.,	Price,	Willard,
Fineman,	Leonard,	Pursley,	Wilt,
Floyd,	Light,	Reibman,	Wood,
Flynn,	Lippincott,	Reidenbach,	Worley,
Foerster,	Lopresti,	Renwick,	Wynd,
Fox,	Luigard,	Rigby,	Yatron,
Frank,	Lutty,	Riley,	Yetter,
Frascella,	McCandless,	Rovansek,	Zimmerman,
Fulmer,	McCann,	Royer,	Andrews,
Galley,	McCormack,	Rudisill,	Speaker
Gallagher,			

NAYS—0

## NOT VOTING—16

Capitolo,	Dennis,	Limper,	Murray, J. J.,
Cianfrani,	Down,	McInroy,	O'Donnell, J. P.
Comer,	Farabaugh,	Mihm,	Schuster,
Cooper,	Heavey,	Moran,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1191, Printer's No. 967

House Bill No. 1379, Printer's No. 1183

House Bill No. 1542, Printer's No. 969 and

House Bill No. 1984, Printer's No. 1184

were passed over at the request of the SPEAKER.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 112, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) increasing liability for burial casts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. House Bill 112, Printer's No. 1135, changes the Pennsylvania Workmen's Compensation Act regarding burial costs. The present law provides for a maximum of \$425 payable for burial. The proposed legislation would increase that amount to \$750.

Mr. Speaker, this is very good, sound legislation dealing with a proper amount to bury these people under the Occupational Workmen's Compensation Act.

I ask that all Members support this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Agnew,	Garlock,	McCann,	Scarcelli,
Anderson,	Gelfand,	McCormack,	Schaaf,
Arlene,	George,	McDonald,	Schwartz,
Auker,	Gibb,	McKeever,	Seltzer,
Balthaser,	Goldstein,	McLaughlin,	Sherman,
Barton,	Goodrich,	Machmer,	Shupnik,
Bell,	Gramlich,	Mahan,	Silverman,
Blair,	Guthrie,	Markley,	Snare,
Boles,	Hamilton,	Maxwell,	Snider,
Boris,	Heffner,	Meholchick,	Stank,
Bonner,	Helm,	Miller, B. Z.,	Steckel,
Bower,	Henzel,	Miller, H. G.,	Stevens,
Bowman,	Hocker,	Mills,	Stewart,
Branca,	Holliday,	Monroe,	Stimmel,
Brenninger,	Holt,	Muldowney,	Stone,
Breth,	Irvis,	Mullen,	Strausser,
Buchanan,	Isaacs,	Munley,	Stroup,
Burns,	Jenkins,	Murphy, A. J., Jr.	Sullivan,
Capano,	Jim,	Murphy, P. J.,	Taylor,
Cioffi,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Clarke,	Johnson, E.,	Musto,	Trusio,
Crossin,	Jones, F. E.,	Needham,	Ujohal,
Curwood,	Jones, T. H. W.,	Nelson,	Varallo,
Dengler,	Jump,	O'Donnell, J. A.,	Varner,
Dennison,	Kamyk,	Odoriso,	Verona,

Devlin,	Kee,	O'Neill,	Wall,
Donahue,	Kelser,	Parlante,	Walsh,
Donaldson,	Kernaghan,	Pashley,	Wargo,
Dougherty,	Kessler,	Perry, H. H.,	Welsh,
Edwards,	Kooker,	Perry, P. E.,	Wescott,
Ellberg,	Korns,	Petrosky,	Wheeler,
Eshback,	Kornick,	Polaski,	Whittaker,
Eshleman,	Kovolenko,	Polen,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Prendergast,	Williams, E. S.,
Flo,	Lamb,	Price,	Willard,
Fineman,	Lee, A. M.,	Pursley,	Willaredt,
Floyd,	Lee, K. B.,	Reibman,	Wilt,
Flynn,	Leonard,	Reidenbach,	Worley,
Foerster,	Light,	Renwick,	Wynd,
Fox,	Lippincott,	Rigby,	Yatron,
Frank,	Lopresti,	Riley,	Yetter,
Frascella,	Luigard,	Rovasek,	Zimmerman,
Galley,	Lutty,	Rudisill,	Andrews,
Gallagher,	McCandless,	Sakulsky,	Speaker

## NAYS—17

Ashton,	Horst,	Murray, P. G.,	Royer,
Brown,	Knecht,	Naugle,	Stoner,
Davis,	Magee,	O'Dell,	Weidner,
Fetterolf,	Merry,	Ogilvie,	Wood,
Fulmer,			

## NOT VOTING—16

Capitolo,	Dennis,	Limper,	Murray, J. J.,
Cianfrani,	Down,	McInroy,	O'Donnell, J. P.
Comer,	Farabaugh,	Mihm,	Schuster,
Cooper,	Heavey,	Moran,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. In order that the bills introduced today may get to the printer as soon as possible, the Chair asks the gentleman from Cambria, if he is so disposed to pre- side while the Chair refers the bills.

## MR. LOPRESTI IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 253, entitled:

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Agnew,	Gallagher,	McCormack,	Rudisill,
Anderson,	Garlock,	McDonald,	Sakulsky,
Arlene,	Gelfand,	McKeever,	Scarcelli,
Ashton,	George,	McLaughlin,	Schaaf,
Auker,	Gibb,	Machmer,	Schwartz,
Balthaser,	Goldstein,	Magee,	Seltzer,
Barton,	Goodrich,	Mahan,	Sherman,
Bell,	Gramlich,	Markley,	Shupnik,
Blair,	Guthrie,	Maxwell,	Silverman,
Boles,	Hamilton,	Meholchick,	Snare,
Bonner,	Heffner,	Merry,	Snider,
Boris,	Helm,	Miller, B. Z.,	Stank,
Bowen,	Henzel,	Miller, H. G.,	Steckel,
Bowman,	Hocker,	Mills,	Stevens,
Branca,	Holliday,	Monroe,	Stewart,
Brenninger,	Holt,	Muldowney,	Stimmel,
Breth,	Horst,	Mullen,	Stone,
Brown,	Irvis,	Munley,	Stoner,



Buchanan,	Isaacs,	Murphy, P. J.,	Strausser,
Burns,	Jenkins,	Murphy, A. J., Jr.	Stroup,
Capano,	Jim,	Murray, H. P.,	Sullivan,
Cioffi,	Johnson, A. W.,	Murray, P. G.,	Taylor,
Clarke	Johnson, R.,	Musto,	Tompkins,
Crossin,	Jones, F. R.,	Naugle,	Trusio,
Curwood,	Jones, T. H. W.,	Needham,	Ujobal,
Davis,	Jump,	Nelson,	Varallo,
Dengler,	Kamyk,	O'Dell,	Varnier,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kelser,	Odorisio,	Wall,
Donahue,	Kernaghan,	Ogilvie,	Walsh,
Donaldson,	Kessler,	O'Neill,	Wargo,
Dougherty,	Knecht,	Parlante,	Weldner,
Edwards,	Kooker,	Pashley,	Welsh,
Ellberg,	Kornick,	Perry, H. H.,	Wescott,
Eshback,	Korns,	Perry, P. E.,	Wheeler,
Eshleman,	Kovolenko,	Petrosky,	Whittaker,
Ewing,	Kubitsky,	Polaski,	Williams, A. D., Jr.,
Fetterolf,	Lamb,	Polen,	Williams, E. S.,
Filo,	Lee, A. M.,	Prendergast,	Willard,
Fineman,	Lee, K. B.,	Price,	Willaredt,
Floyd,	Leonard,	Pursley,	Wilt,
Flynn,	Light,	Reibman,	Wood,
Foerster,	Lippincott,	Reidenbach,	Worley,
Fox,	Lopresti,	Renwick,	Wynd,
Frank,	Luigard,	Rigby,	Yatron,
Frascella,	Lutty,	Riley,	Yetter,
Fulmer,	McCandless,	Rovansek,	Zimmerman,
Galley,	McCann,	Royer,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—16

Capitolo,	Dennis,	Limper,	Murray, J. J.,
Cianfrani,	Down,	McInroy,	O'Donnell, J. P.
Comer,	Farabaugh,	Mihm,	Schuster,
Cooper,	Heavey,	Moran,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 1123

House Bill No. 322, Printer's No. 1161 and

House Bill No. 325, Printer's No. 999

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 385, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHWARTZ asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 222), page 3, line 4, by inserting brackets before and after "during."

Amend Sec. 1 (Sec. 222), page 4, line 2, by striking out "ABSENCES" "absence."

Amend Sec. 1 (Sec. 222), page 6, line 13, by striking out the bracket before "This" and inserting "(c)."

Amend Sec. 1 (Sec. 222), page 6, line 18, by striking out the bracket after "holidays."

The SPEAKER pro tempore. Will the House give

unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 556, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 557, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, entitled:

An Act to further the economic development of the Commonwealth providing for an economic message by the Governor creating a Governor's Council for Economic Development and an Interdepartmental Economic Advisory Committee and a Citizen's Action Committee on Jobs and Business Climate and defining the powers and duties of these agencies.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, 2nd line of Title, by striking out "Governor's" and inserting: "State."

Amend Sec. 3, page 2, line 11, by striking out "of the Governor. The Governor" and inserting: "The council."

Amend Sec. 3, page 3, line 3, by striking out "Governor" and inserting: "council."

Amend Sec. 3, page 3, line 4, by striking out "his discretion he" and inserting: "its discretion it."

Amend Sec. 4, page 3, line 8, by striking out "Governor's" and inserting: "State."

Amend Sec. 4, page 3, line 9, by striking out "Governor's" and inserting: "State."

Amend Sec. 4, page 3, lines 10 to 15, by striking out "be composed of fifteen" in line 10, all of lines 11 to 14, and "of the chairman" in line 15, and inserting: "consist of fifteen citizens of this Commonwealth, of whom five shall be appointed by the Governor, five of whom shall be appointed by the Speaker of the House of Representatives, and five shall be appointed by the President pro tempore of the Senate. The members of the council shall elect from its membership a chairman and a vice-chairman. Vacancies in the membership of the council shall be filled in the manner provided for original appointments."

Amend Sec. 5, page 4, line 1, by striking out "Governor's" and inserting: "State."

Amend Sec. 5, page 5, line 6, by inserting after "Governor" "the Speaker of the House of Representatives and the President pro tempore of the Senate."

Amend Sec. 6, page 5, line 17, by striking out "Governor's" and inserting: "State."

Amend Sec. 6, page 6, line 1, by inserting after "Governor" "and General Assembly."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. A. W. JOHNSON. I would ask Mr. McCann did he receive a copy of the amendments?

Mr. McCANN. Mr. Speaker, I received a copy. The amendments are controversial dealing with Section 4.

Mr. A. W. JOHNSON. The bill, we think, is a good piece of legislation. However, we feel that it is of such state-wide importance that it should be called the State Council for Economic Development instead of the Governor's Council. I mean instead of the "Governor's Council," the amendments should insert the word "State."

Also, we feel that in order to make it more representative, as of a cross-section of the Commonwealth, the fifteen members to serve on it, five should be appointed by the Speaker, five by the President pro tempore of the Senate, and five by the Governor. The effect of the amendments is to do that very thing.

The bill now reposes all the appointive power in the Governor, and we feel that we would get a much fairer, much more objective, report from the group if they were fifteen people appointed by three different people, rather than one person of the same political philosophy.

Therefore, we feel that we are taking a good bill and making a better bill out of it by offering these amendments. I am asking the House to support the amendments.

Mr. McCANN. Mr. Speaker, the amendments offered by the gentleman from McKean, Mr. Johnson, we have no objection to the first part of the amendments in which it would be titled the State Council for Economic Development, eliminating the word "Governor." To that we have no objection if that is the wish to change the title and call it the State Council. That meets with our approval.

The bill calls for the appointment of 15 citizens of the Commonwealth by the Governor on this Council for Economic Development and Interdepartmental Advisory Committee. The amendments offered by Mr. Johnson would place the appointments, five by the Speaker, five

by the President pro tem. of the Senate, and five by the Governor. We believe that the Council for Economic Development should, in every way, try to have at its disposal by far the best Pennsylvanians in every way, and we believe that it would be advantageous for the Governor to appoint those people from all walks of life in the Commonwealth of Pennsylvania, certainly most qualified to serve in their respective positions. In no way is it intended to hold to any political party the appointees. If the position of the amendments is so that they would not be of one political party, it was never intended to be that, and it certainly will not be the intent to appoint either all Democrats or all Republicans to such an important Economic Development Council.

On those grounds, Mr. Speaker, we will have to oppose the amendments but we are willing to accept the title change that is offered in the first part of the amendments offered by Mr. Johnson, if he will consent to divide his amendments.

Mr. A. W. JOHNSON. Mr. Speaker, I believe the meat in the bill is changing the appointive power.

Why do we not vote on that particular section first, changing the appointive power so that ten of the Members are appointed, five by the Speaker and five by the President pro tempore? I certainly do not want to have us vote just to change the name to State—that is merely a technical change. The meat of the bill is, who is going to appoint them? I am not saying that this Governor will, but I am afraid we will get Governors who will go to all our universities and appoint a lot of do-gooders and brain-trusters on this Committee and you will get a peculiar report on the economic situation depending on how they view it through their rose-colored glasses.

The SPEAKER pro tempore. Without objection the Chair will divide the question and place before the House the amendments to Section 4, page 3, as explained by the Minority Leader. The question is on agreeing to the amendments to Section 4, page 3. Will the gentleman accept the division or a rising vote on the question?

Mr. A. W. JOHNSON. Yes, Mr. Speaker, I will.

The SPEAKER pro tempore. The Chair lays before the House the amendment offered to Section 4.

On the question,

Will the House agree to the amendment?

On a rising vote, ninety Members having voted in the affirmative and ninety-four in the negative, the question was determined in the negative and the amendment was not agreed to.

Mr. A. W. JOHNSON. Mr. Speaker, I withdraw the remainder of the amendments.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I ask that those not voting be read.

Mr. McCANN. Mr. Speaker, again we come to the same position. Who are the negative votes?

The SPEAKER pro tempore. The Chair will order a full roll call if that is what the gentleman would like to have, but certainly the Chair would like to be guided by some rule.

Mr. TOMPKINS. Mr. Speaker, on any roll call there



are the ayes, the nays and those that are not voting. You have read the negative roll call. I am asking now that we have those not voting. Certainly they must have that on their list.

The SPEAKER pro tempore. Well, in order to do that we must have a full roll call.

Mr. McCANN. Mr. Speaker, there has been no objection to the roll call. The negative votes are recorded; the membership of the House present today is 192. If there are 20 negative votes, there is no question that the rest are affirmative.

Mr. TOMPKINS. Mr. Speaker, I will withdraw my request at this time.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—183

Agnew,	Garlock,	McKeever,	Rudisill,
Anderson,	Gelfand,	McLaughlin,	Sakulsky,
Arlene,	George,	Machmer,	Scarcelli,
Auker,	Gibb,	Magee,	Schaaf,
Balthaser,	Goldstein,	Mahan,	Schwartz,
Barton,	Guthrie,	Markley,	Seltzer,
Bell,	Hamilton,	Maxwell,	Sherman,
Blair,	Hefner,	Meholchick,	Shupnik,
Boles,	Helm,	Merry,	Silverman,
Bonner,	Henzel,	Miller, B. Z.,	Snare,
Boris,	Holliday,	Miller, H. G.,	Snider,
Bower,	Holt,	Mills,	Stank,
Bowman,	Horst,	Monroe,	Steckel,
Branca,	Irviss,	Muldowney,	Stevens,
Brenninger,	Isaacs,	Mullen,	Stewart,
Breth,	Jenkins,	Munley,	Stimmel,
Buchanan,	Jlm,	Murphy, A. J., Jr.	Stone,
Burns,	Johnson, A. W.,	Murphy, P. J.,	Stoner,
Capano,	Johnson, R.,	Murray, H. P.,	Stroup,
Cioffi,	Jones, F. R.,	Murray, J. J.,	Sullivan,
Clarke,	Jones, T. H. W.,	Musto,	Taylor,
Crossin,	Jump,	Naugle,	Tompkins,
Curwood,	Kamyk,	Needham,	Trusilo,
Dengler,	Kee,	Nelson,	Ujobai,
Dennison,	Kelser,	O'Dell,	Varallo,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Varner,
Donahue,	Kessler,	Odorisio,	Verona,
Donaldson,	Knecht,	Ogilvie,	Wall,
Dougherty,	Kooker,	O'Neill,	Walsh,
Edwards,	Korna,	Parlante,	Wargo,
Eilberg,	Kornick,	Pashley,	Welsh,
Eshback,	Kovolenko,	Perry, H. H.,	Wescott,
Eshleman,	Kubitsky,	Perry, P. E.,	Wheeler,
Ewing,	Lamb,	Petrosky,	Whittaker,
Fetterolf,	Lee, A. M.,	Polaski,	Williams, A. D., Jr.,
Filo,	Lee, K. B.,	Polen,	Williams, E. S.,
Fineman,	Leonard,	Prendergast,	Willard,
Floyd,	Light,	Price,	Willaredt,
Flynn,	Lippincott,	Pursley,	Wilt,
Foerster,	Lopresti,	Reibman,	Worley,
Fox,	Luigard,	Reidenbach,	Wynd,
Frank,	Lutty,	Renwick,	Yatron,
Frascella,	McCandless,	Rigby,	Yetter,
Fulmer,	McCann,	Riley,	Zimmerman,
Galley,	McCormack,	Rovansek,	Andrews,
Gallagher,	McDonald,	Royer,	Speaker

## NAYS—10

Ashton,	Goodrich,	Murray, P. G.,	Weldner,
Brown,	Gramlich,	Strausser,	Wood,
Davis,	Hocker,		

## NOT VOTING—15

Capitolo,	Dennis,	Limper,	O'Donnell, J. P.
Cianfrani,	Down,	McInroy,	Schuster,
Comer,	Farabaugh,	Mihm,	Thompson,
Cooper,	Heavy,	Moran,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

On the question,

Will the House agree to the bill on third reading?

Mrs. REIBMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 222), page 4, line 14, by inserting after "absence" "with."

Amend Sec. 1 (Sec. 222), page 4, line 16, by striking out "absences" and inserting "absence."

Amend Sec. 1 (Sec. 222), page 6, line 17, by inserting a bracket before "annual."

Amend Sec. 1 (Sec. 222), page 6, line 17, by striking out the bracket before "leave."

Amend Sec. 1 (Sec. 222), page 6, line 18, by striking out "sick leave" and inserting "leaves of absence."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 672, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) authorizing the use of moneys in the "fish fund" for an engineering survey of the Susquehanna River.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—107

Agnew,	Gibb,	Lippincott,	Shupnik,
Ashton,	Goldstein,	McCandless,	Snider,
Barton,	Goodrich,	McCann,	Stank,
Bell,	Gramlich,	McCormack,	Stevens,
Blair,	Guthrie,	McKeever,	Stewart,
Boris,	Hefner,	Magee,	Stoner,
Bower,	Helm,	Mahan,	Strausser,
Bowman,	Henzel,	Meholchick,	Stroup,
Brenninger,	Hocker,	Merry,	Tompkins,
Brown,	Holliday,	Miller, B. Z.,	Ujobai,
Buchanan,	Horst,	Miller, H. G.,	Varner,
Crossin,	Isaacs,	Muldowney,	Wall,
Curwood,	Johnson, A. W.,	Murphy, P. J.,	Wargo,
Davis,	Johnson, R.,	Murray, H. P.,	Weidner,
Dengler,	Jones, T. H. W.,	Murray, P. G.,	Wescott,

Dennison,	Jump,	Naugle,	Whittaker,
Donahue,	Kee,	Needham,	Williams, A. D., Jr.,
Donaldson,	Keiser,	O'Dell,	Williams, E. S.,
Edwards,	Kernaghan,	Odorisio,	Willard,
Eshback,	Kessler,	Ogilvie,	Willaredt,
Eshleman,	Knecht,	Polen,	Wilt,
Ewing,	Kooker,	Price,	Wood,
Fetterolf,	Korns,	Pursley,	Worley,
Flynn,	Kubitsky,	Rigby,	Wynd,
Fox,	Lee, A. M.,	Royer,	Zimmerman,
Fulmer,	Lee, K. B.,	Schwartz,	Andrews,
George,	Light,	Seltzer,	Speaker

## NAYS—84

Anderson,	Gallagher,	Maxwell,	Rovansek,
Arlene,	Garlock,	Mills,	Rudisill,
Auker,	Gelfand,	Monroe,	Sakulsky,
Balthaser,	Hamilton,	Mullen,	Scarcelll,
Boles,	Holt,	Munley,	Schaaf,
Bonner,	Irvie,	Murphy, A. J., Jr.	Sherman,
Branca,	Jenkins,	Murray, J. J.,	Silverman,
Breth,	Jim,	Nelson,	Snare,
Burns,	Jones, F. R.,	O'Donnell, J. A.,	Steckel,
Capano,	Kamyk,	O'Neill,	Stimmel,
Cioffi,	Kornick,	Parlante,	Stone,
Clarke,	Kovolenko,	Pashley,	Sullivan,
Devlin,	Lamb,	Perry, H. H.,	Taylor,
Dougherty,	Leonard,	Perry, P. E.,	Trusio,
Elberg,	Lopresti,	Petrosky,	Varallo,
Filo,	Luigard,	Polaski,	Verona,
Fineman,	Lutty,	Prendergast,	Walsh,
Floyd,	McDonald,	Reibman,	Welsh,
Foerster,	McLaughlin,	Reldenbach,	Wheeler,
Frank,	Machmer,	Renwick,	Yatron,
Galley,	Markley,	Riley,	Yetter,

## NOT VOTING—17

Capitolo,	Down,	Limper,	Musto,
Cianfrani,	Farabaugh,	McInroy,	O'Donnell, J. P.
Comer,	Frascella,	Mihm,	Schuster,
Cooper,	Heavy,	Moran,	Thompson,
Dennis,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## HONORABLE JAMES QUIGLEY WELCOMED

The SPEAKER. The Chair notes the presence in the Hall of the House of the Honorable James Quigley, who represents the 19th Congressional District.

## HONORABLE JAMES TATE WELCOMED

The SPEAKER. The Chair has been informed of the presence in the Hall of the House of the Honorable James Tate, President of the Philadelphia City Council and a former Member.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection

House Bill No. 725, Printer's No. 1085, was passed over at the request of the SPEAKER.

Mr. McCANN. Mr. Speaker, the last bill for today is House Bill No. 777, Printer's No. 1126, because we have arrived at the time at which we have agreed we would recess for dinner. I ask that this be the last bill for today.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 777, entitled:

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, may I inquire of the Majority Leader if this is going to be a controversial bill, and if it is going to take maybe 45 minutes or an hour before we finish it?

Mr. McCANN. Mr. Speaker, House Bill No. 777 carries the following notation: There are some "no" votes, it is controversial but not a division on party lines. Is that correct?

Mr. TOMPKINS. I do not know, I am asking you.

Mr. McCANN. It is not controversial on this side, Mr. Speaker; all the votes are for it.

Mr. A. W. JOHNSON. Mr. Speaker, in my opinion I would say that perhaps we had better have a fast roll call on the bill and we will see how many negative votes there are on the bill. If there is a large number, then you will have to call the roll slowly.

It is getting late. Let's try it this way and see how it works out.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—170

Agnew,	Gallagher,	McLaughlin,	Sakulsky,
Anderson,	Garlock,	Machmer,	Scarcelll,
Arlene,	Gelfand,	Mahan,	Schaaf,
Auker,	Gibb,	Markley,	Schwartz,
Balthaser,	Goldstein,	Maxwell,	Seltzer,
Barton,	Gutarie,	Meholchick,	Sherman,
Bell,	Hamilton,	Miller, B. Z.,	Shupnik,
Blair,	Heffner,	Miller, H. G.,	Silverman,
Boles,	Helm,	Mills,	Snare,
Bonner,	Henzel,	Monroe,	Snider,
Boris,	Holliday,	Muldorney,	Stank,
Bower,	Holt,	Mullen,	Steckel,
Branca,	Irvie,	Munley,	Stevens,
Breth,	Isaacs,	Murphy, A. J., Jr.,	Stewart,
Buchanan,	Jenkins,	Murphy, P. J.,	Stimmel,
Burns,	Jim,	Murray, J. J.,	Stone,
Capano,	Johnson, A. W.,	Murray, P. G.,	Stoner,
Cioffi,	Jones, F. R.,	Musto,	Strausser,
Clarke,	Jones, T. H. W.,	Naugle,	Stroup,
Crossin,	Jump,	Needham,	Sullivan,
Curwood,	Kamyk,	Nelson,	Taylor,
Davis,	Kee,	O'Dell,	Trusio,
Dengler,	Kernaghan,	O'Donnell, J. A.,	Ujobai,
Dennison,	Kessler,	Odorisio,	Varallo,
Devlin,	Knecht,	O'Neill,	Varnier,
Donahue,	Kooker,	Parlante,	Verona,
Donaldson,	Kornick,	Pashley,	Walsh,
Dougherty,	Korns,	Perry, H. H.,	Wargo,
Edwards,	Kovolenko,	Perry, P. E.,	Weldner,
Elberg,	Kubitsky,	Petrosky,	Welsh,
Eshback,	Lamb,	Polaski,	Wescott,
Eshleman,	Lee, A. M.,	Polen,	Wheeler,
Ewing,	Lee, K. B.,	Prendergast,	Whittaker,
Filo,	Leonard,	Price,	Williams, A. D., Jr.,
Fineman,	Light,	Pursley,	Williams, E. S.,
Floyd,	Lippincott,	Reibman,	Wilt,
Flynn,	Lopresti,	Reldenbach,	Worley,
Foerster,	Luigard,	Renwick,	Wynd,
Fox,	Lutty,	Rigby,	Yatron,
Frank,	McCann,	Riley,	Yetter,
Frascella,	McCormack,	Rovansek,	Andrews,
Fulmer,	McDonald,	Royer,	Speaker
Galley,	McKeever,	Rudisill,	



## NAYS—23

Ashton,	Goodrich,	McCandless,	Wall,
Bowman,	Gramlich,	Magee,	Willard,
Brenninger,	Hocker,	Merry,	Willaredt,
Brown,	Horst,	Murray, H. P.	Wood,
Fetterolf,	Johnson, R.,	Ogilvie,	Zimmerman,
George,	Kelser,	Tompkins,	

## NOT VOTING—15

Capitolo,	Dennis,	Limper,	O'Donnell, J. P.,
Cianfrani,	Down,	McInroy,	Schuster,
Comer,	Farabaugh,	Mihm,	Thompson,
Cooper,	Heavy,	Moran,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, with reference to House Bill 777, which just passed, I would like to insert into the record the statement which was to have been used in the debate on the bill.

Mr. Speaker, I request unanimous consent of the House to offer it for the record.

The SPEAKER. The statement will be recorded in the record.

Mr. McCANN. The case for H. 777 rests firmly on the fact that in this complicated and ever-changing world, we must train to survive. The actions which we take to develop the human resources of Pennsylvania will largely determine the state of our welfare.

As Governor Lawrence put it, in a speech in Pittsburgh in January of this year, "We must train and train and train."

Within the past year there has been a remarkable upsurge in interest in training for employment in Pennsylvania. Various groups, working independently, have suddenly realized how utterly essential it is that we mobilize our training resources and concentrate them on training for employment. The State Chamber of Commerce and the Pennsylvania Federation of Labor have both called for an expansion of vocational training. Educators and industrial development groups have been pointing to the need.

The Secretary of Labor and Industry found that at the height of the recession in late 1958, and estimated 30,000 jobs were unfilled in Pennsylvania because there wasn't anyone qualified to fill them. He knew that unemployed persons can be retrained to accept employment because Pennsylvania is already doing so under Section 2508.3 of the Pennsylvania school laws, but less than 1,000 persons were trained for employment under this provision in 1958.

To understand more completely why we must do a better job in training for employment, one need only look at the changing employment picture. In 1900, unskilled labor represented 20% of the work force; by 1950 this had declined to 8.5%. By 1975, unskilled labor will represent less than 1 out of every 20 workers. All the labor force projections point to this one inescapable fact: there will be a growing demand, even a shortage of skilled technicians, craftsmen, operatives and clerical and sales personnel.

Within Pennsylvania, a shifting economy is increasing

the demand for certain occupations, wiping it out in others. Within the past eight years, employment has increased in non-manufacturing industries, in wholesale and retail trade, in finance and insurance and in service and miscellaneous occupations. It has decreased in mining and quarrying, transportation and public utilities and in all manufacturing industries. A good training program will enable us to keep flexible and adjust to these shifts with a minimum of hardship.

Governor J. Caleb Boggs of Delaware hit the nail on the head recently when he referred in a recent speech to the urgent need for a national effort to retrain "technically handicapped" persons—those who are out of work because of technological change—or automation.

As urgent as the need is for retraining of "technically handicapped" persons, there is also the need to see to it that young people have an opportunity through apprenticeship or other training, to acquire skills and experiences which will enable them to fit in to our economy. But the number of people undergoing apprenticeship training in Pennsylvania today is getting smaller, not larger.

Industrial developers in Pennsylvania have found that prospective new industry is keenly interested on local programs of training for employment. Mr. Ruth in Altoona points out that the fear of losses involved in training a new work force is the greatest obstacle confronting a manufacturer who would like to relocate in Pennsylvania. Mr. Maguire in Pottsville reports that the existence of a first-class training program would be bound to help them in their efforts to attract new industry.

## The Need to Do Something

The call to "do something" about the need for an expansion of apprenticeship and training programs has come from many quarters—from management, from labor, from the ten coal miners who came out of the hills near Altoona to petition the Superintendent of Schools to teach them welding, from older workers laid off in the knitting mills in Reading, from minority group members who need skills to profit fully from fair employment practices.

One of the first things done was the preparation of a report entitled, "Training for Employment." This report was written by Kenneth Carl, Director, Williamsport Technical Institute. This report details our resources for training and indicates exactly what kinds of training are most needed. It calls for immediate expansion of programs of training for employment throughout Pennsylvania.

Next, a Governor's Conference on Employment Skills was arranged in Harrisburg. Management and labor worked together on the conference which was sponsored by the Pennsylvania Association of Manufacturers, The State Chamber of Commerce, the Pennsylvania Federation of Labor, the Pennsylvania Industrial Union Council, the Pennsylvania Department of Commerce, the Department of Public Instruction, the Department of Labor and Industry, Pennsylvania State University, and the United States Bureau of Apprenticeship and Training.

The response to the conference was enthusiastic. Speaker after speaker got up and called upon the State to take more leadership in seeing to it that we have adequate programs of apprenticeship and training.

## What H. 777 Does

House Bill 777, the Apprenticeship and Training Act,



was carefully amended in the House Labor Committee to help the State take proper leadership in this area. It takes the present labor-management Apprenticeship Council—which has no specific legislative authorization and whose members are not compensated—and it gives a broadened name, broadened functions, status, an executive secretary and authority to pay members a small compensation.

Under the bill, the council becomes the Apprenticeship and Training Council, with the responsibility for stimulating a wide variety of programs of training for employment at the community level. The council will not only continue to oversee apprenticeship agreements, but it can aggressively go out and promote the establishment of more apprenticeship programs as well as other programs of training for employment; it can convene meetings in communities and bring interested groups together; it can undertake necessary studies; it must report once a year on the status of training programs within the State.

In short, H. 777 provides a means for mobilizing the resources of the State to provide more and better apprenticeship and training programs so that:

1. No unemployed person need be denied the opportunity to make himself employable by getting new skills;
2. No employed person need be denied the opportunity to enhance his security by keeping his skills up-to-date and advancing in his job;
3. No business need be denied the opportunity to expand because a trained work force was not available;
4. No business need hesitate to locate in Pennsylvania because of a lack of training facilities.

H. 777 is concerned only with the mobilization of training opportunities and facilities. While the training of Older Workers would be made more possible than ever before, the Council proposed by this Bill would not be concerned with the problems which are the responsibility of either the Fair Employment Practices Commission or the Advisory Board on Problems of Older Workers. While members of minority groups would enjoy greater opportunity for training as a result of the proposed activities, the Council itself would in no manner or form be concerned with those problems which at present are the responsibility of the Fair Employment Practices Commission. By the same token while women would enjoy greater opportunity for job training the Council would likewise not concern itself with the problems which are presently the responsibility of the Bureau of Women and Children.

In a word, H. 777 is concerned with training of all workers so that their skills can be up-dated to meet the needs of changing technology in Pennsylvania's vast and varied business and industrial community.

#### Cooperation with Other Programs

Of course, H. 777 cannot do all this by itself. Many other agencies come into the picture. There is first of all, the Pennsylvania Department of Public Instruction and local public educational systems. Most of the actual training will be done in this manner. There is the U.S. Bureau of Apprenticeship and Training, which maintains a large field staff in Pennsylvania. Much assistance can be received from this agency in stimulating communities to step up programs of training for employment. There is the Pennsylvania Bureau of Employment Security, which provides vocational guidance for many young people as well as for older unemployed persons.

The Bureau of Employment Security and the Department of Public Instruction will have membership on the Apprenticeship and Training Council, and cooperation with these agencies, as well as with the U.S. Bureau, is specifically mandated in the Bill.

Thus, the Apprenticeship and Training Council, will not, under the provisions of the proposed Act be another competing operating body, but rather it will be a mobilizing agency. It will keep constantly up-to-date on the status of programs and keep pushing and stimulating and encouraging the operating agencies to get the best possible job done.

#### A Great Opportunity

The Pennsylvania Legislature has a magnificent opportunity, by enacting this legislation, to give a powerful impetus to a program that has potentially unlimited significance for Pennsylvanians. If we can ever get our training programs in Pennsylvania to do the job that is needed—and there is no question that we have the ability to do so—we can give this Commonwealth a foundation for economic prosperity that will be the most solid base we have ever had; for unlike our previous reliance on natural resources which have been depleted or on industries which have faded, we will be placing our faith and our future in our human resources—the people of Pennsylvania. There is no better place to put that faith, and, at the moment, there is no better way for the Legislature to express that faith than by passing House Bill 777, the Apprenticeship and Training Act.

#### STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, for some reason today there has been continuous delay on various roll calls, and at the hour of 7:15 we have not acted on very many bills to this point.

An agreement made is an agreement kept as far as I am concerned, and I will abide by those wishes today that we adjourn the House.

Under the existing situation, with the number of bills coming out of committee tomorrow upon this calendar, and the backlog of bills existing, tomorrow will be a day in which there very likely will be a break to have dinner and then come back to this House and proceed right on into the evening.

Mr. Speaker, if the commitment had not been made for tonight, I would now request a recess and come back here tonight at 9:00 o'clock and work right on to midnight.

#### PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, just briefly, I believe we are not the only deliberative body that operates handy to the scene here in Harrisburg. There are some in the National scene and in other states.

I believe both caucuses of this House have selected good, and able leaders to conduct the business of this House. I further believe the membership of the House wants an expeditious and an efficient operation in this House. I believe, too, that in setting ground rules for this type of operation the leadership on both sides of the House can and will get together on ground rules, and from now on out I believe we can have such an expedi-



tious and efficient operation, without the demonstrations we have had today.

## RESOLUTIONS

### CONGRATULATIONS

Mr. STECKEL and Mrs. MARKLEY offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 27, 1959.

August 2nd marks the beginning of the centennial celebration in the borough of Emmaus.

Just 100 years ago the community became a borough and their progress hasn't been slowed since. At the time of its becoming a borough the population was about 277 people yet today this proud little community which stands among the best in Lehigh County has an ever expanding population of about 10,000 people. The fact that more people are moving into the community every day is evidence that Emmaus is the kind of a town that people like to call home.

Actually Emmaus is much older than 100 years. Documents show that in the 1730's the area was quite thickly settled and in 1742 a loghouse for worship was erected in the borough. The people who populated the area devoted themselves to God and by 1758 they had established a closed congregational village. In the beginning nobody but a member of the Moravian Church could lease a lot on which to build a house, but as time marched on and the young people married outside the church the town became open and a new era was born.

The middle and late 1800's brought the industrial revolution to Emmaus. Iron ore was discovered in the area and not long afterward the railroad was brought in to carry out the ore. With the advent of the railroad Emmaus was soon known as a manufacturing and textile center. Today the community can be proud to say that they have helped in our rocket and missile age for it is in Emmaus that the Air Products Company which manufacture missile fuel has one of its main plants and the home office of this company is located nearby. As one looks back he can see this gigantic transition from the age of iron ore to the age of missiles, yet this town was able to take it in stride because of the foresight of its public spirited citizens.

We the members of the House of Representatives take off our hats to the community of Emmaus because we are proud of the work you have done in the past 100 years; therefore be it

Resolved, That the House of Representatives extend its heartiest congratulations to the borough of Emmaus in Lehigh County upon the advent of their centennial celebration; and be it further

Resolved, That we wish them the best of luck for the next hundred years and we only hope that they will be as successful in developing their community during that time as they were during the past decade; and be it further

Resolved, That a copy of this resolution be forwarded to Theodore Iobst, the Burgess of Emmaus and to the Emmaus Centennial Committee.

### AMERICAN NATIONAL EXHIBITION IN USSR

Messrs. SELTZER, McCANN, A. W. JOHNSON and Mrs. KOOKER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 27, 1959.

Beginning on July 25th and concluding on September 4th, the American National Exhibition will be held in Moscow, USSR, the purpose of which is "to strengthen the foundations of world peace by increasing understanding in the Soviet Union of the American people, the land in which they live, and the broad range of American life, including American science, technology and culture."

President Eisenhower has said of the exhibition "it is my fervent wish that by this means, and through the corresponding exhibition which your country is holding

in New York City, the people of our two great nations may gain a better understanding of one another. Thus can the foundations be strengthened for our cooperation in the achievement of mankind's greatest goal—a fruitful and flourishing world at peace."

A public spirited group of Pennsylvanians have organized a tour of Russia and other communist bloc countries. This tour will be conducted in connection with the American National Exhibition and is intended to contribute to the success of the exhibition. The group is made up of representatives of the various walks of Pennsylvania life and is expected to present a cross section of our people.

It is therefore most desirable that the House of Representatives of Pennsylvania be represented among the group. Mr. Orville Snare of this House has graciously consented to undertake the tour at his own expense and to act as our official representative; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, do hereby constitute and appoint Representative Orville E. Snare of Huntingdon County as the Official Representative of the House of Representatives at the American National Exhibition, and in all matters of contact with the people of the USSR and other countries, made in connection with the tour of the Pennsylvania group; and be it further

Resolved, That a copy of this Resolution be delivered to Representative Snare.

### COMMENDATION

The SPEAKER laid before the House a resolution today reported from the Committee on Rules which was read, considered and adopted as follows:

June 22, 1959.

Herbert J. Vander Heide, Major General, United States Army, assumed command of the XXI U. S. Army Corps (Reserve) in the early fall of 1957; and

General Vander Heide is shortly to leave this command to assume other important U. S. Army duties in Europe; and

As Commander of the XXI U. S. Army Corps which included, together with other states, the Commonwealth of Pennsylvania, General Vander Heide commanded the United States Army Reserve within Pennsylvania in such a distinguished manner as to gain the respect, appreciation, and admiration of Army reservists in Pennsylvania; and

By the performance of his duty in Pennsylvania, the House of Representatives of Pennsylvania is impressed with the great capability of this United States Army officer; and

The Headquarters of the XXI U. S. Army Corps (Reserve) is located in the Indiantown Gap Military Reservation in the Commonwealth of Pennsylvania and has been organized by General Vander Heide in such a manner as to give splendid support to all of the Army Reserve units in Pennsylvania; and

The distinguished conduct and performance of duty of General Vander Heide has been such as to reflect great credit to the Armed Forces of the United States and to the Army of the United States;

Now therefore be it resolved by the House of Representatives of the Commonwealth of Pennsylvania that Major General Herbert J. Vander Heide, United States Army, be and is hereby commended by the House of Representatives of the Commonwealth of Pennsylvania for his superior performance of duty while serving as Commanding General, XXI U. S. Army Corps (Reserve); and

Be it further resolved that a copy of this Resolution be furnished to Major General Herbert J. Vander Heide, a copy forwarded to the Secretary of Defense, a copy forwarded to the Secretary of the Army, and a copy forwarded to the Commanding General, Second United States Army.

Mr. BURNS offered a resolution which was filed with the Clerk under the Rules.



## INTERROGATION

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I was not listening too closely when you made the announcement about a possible session tomorrow evening.

You realize that on Wednesday, of course, is the funeral. A number of people want to go to Pittsburgh, and that would mean a lot of them want to check out of the hotels. Are you in earnest about being here tomorrow night?

Mr. McCANN. Mr. Speaker, I realize what I am faced with in this situation. If the House will agree to come here tomorrow afternoon and work through until 6:00 or 7:00 o'clock, which would be six or seven straight hours on the floor, the answer would be "No."

I realize the Allegheny County delegation, both Democratic and Republican, must leave this House to go to Pittsburgh for the funeral, which is Wednesday, and they intend to get there Tuesday night.

For example today, Mr. Johnson, and I am not saying they were dilatory tactics, but there was continuous harassment as to the roll calls. As nearly as we can tell, this delayed the operation of this House one hour today. There are over 100 bills backlogged right now. The Committees meet tomorrow, and there will be a great many bills come out of Committees. We know we cannot be in session here on Wednesday; we do not expect to be, with one of our Members having passed away and the funeral scheduled for that date. But I do believe if we do not do that this week, that beginning Monday we probably should work until the hour of, say, 7:00, if that be the case, or 6:30, and then take a break of two and a half hours and come back here.

For example, tonight it would be very easy to work two or three more hours on this calendar, which would do a great deal to a series of bills we have agreed to.

I realize, on the statement I made, that the Allegheny County delegation cannot be here, Democratic and Republican, and I hope that in respect to Mr. Haudenshield we can work until no later, say, than 7:00 o'clock, and they can move right out and go to Pittsburgh.

Mr. A. W. JOHNSON. Mr. Speaker, I would say this, that perhaps for the balance of the Session we should probably start an hour earlier on Mondays. That would expedite matters.

I believe because of the confusion now over the roll calls it would be wise for the Majority Leader, the Minority Leader and the respective Whips to sit down with the Chief Clerk and the House Secretary and try to iron this matter out. I think it is that important, and maybe we can come to a common understanding that will be mutually agreeable to everybody. I am just throwing that out as a suggestion.

I also want to say that personally I am unalterably opposed to any evening sessions. I do not think they accomplish anything; and it is not for the best interests of this General Assembly to hold night sessions. I would rather get around earlier in the day than to be here at night.

I am pleased to hear you say you are not really going to ask us to stay here tomorrow night. Let us get around here on the job and work hard tomorrow and try to get as much work done as possible.

Mr. McCANN. Mr. Speaker, it is very nice to make those statements, but there is absolutely nothing wrong with any of the roll calls, nor has there been at any time in this Session. If there is nothing wrong with the roll calls as they have proceeded to this point, I again ask what is it you want to do to any roll call. We find absolutely nothing wrong, and I believe that you, too, have agreed there has been nothing wrong with any roll call.

There have been one or two references to the Legislative Journal record as to those who have indicated an error that has occurred, but I believe the same number of errors have occurred in prior Sessions, and I think those are only human errors. If someone is insinuating that there is something wrong with the roll call, as I have said to you privately, I do not intend to steal a single bill because I can wait until I have the votes to pass it. Therefore I am not going to try to attempt that at any time.

An far as a conference about that particular operation of this House is concerned, I find it to be operating very well, and up until this point there has never been any objection. If there is anything wrong, I think the debate today would have indicated clearly what was wrong.

I say again that tomorrow will be a heavy working day here, a day in which I hope we can devote between six and seven hours. I realize we cannot work tomorrow night on account of the funeral and the Allegheny County Members, and I do not believe we should.

I do believe there is merit to the suggestion that the following week to try to change the hours so we can move continually on up to 8:00 and 9:00 o'clock, and so we can get done on the bills that have backlogged on the calendar. I believe we want to get it done. We know we must.

The SPEAKER. The Chair has searched the statutes diligently and finds nothing in the law or to Constitution against a four-day week.

What is the disposition of the Floor Leaders with respect to the balance of the calendar?

## BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I suggest that all the bills beginning with House Bill 846, on Page 11, to the end of the calendar be passed over.

The SPEAKER. There being no objection, all of the bills upon the calendar which have not been acted upon today will be passed over in order.

## COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245-246, Tuesday, July 28 at 11:15 a.m.

CITIES-THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Tuesday, July 28 at 11:30 a.m.

COUNTIES, Mr. Cioffi, Chairman, Room 131-C, Tuesday, July 28 at 11:00 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, July 28 at 9:15 a.m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, July 28 at 10:00 a.m.



JUDICIARY, Mr. Rudisill, Chairman, Room 131-D,  
Tuesday, July 28 at 10:00 a.m.

LAW AND ORDER, Mr. Mills, Chairman, Room 522,  
Tuesday, July 28 at 11:00 a.m.

MUNICIPAL CORPORATIONS, Mr. Polaski, Chairman,  
Room 331, Tuesday, July 28 at 11:30 a.m.

RAILROADS AND RAILWAYS, Mr. Taylor, Chairman,  
Room 521, Tuesday, July 28 at 11:00 a.m.

WELFARE, Mr. Kamyk, Chairman, Room 331, Tues-

day, July 28 at 10:00 a.m.

All Times are Daylight Saving Time.

### ADJOURNMENT

Mr. KORN. Mr. Speaker, I move that this House do  
now adjourn until Tuesday, July 28, 1959 at 11:00 a.m.  
EST.

The motion was agreed to, and (at 6:35 p.m. EST), the  
House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, JULY 28, 1959.

No. 72.

## SENATE

TUESDAY, July 28, 1959.

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. R. H. REID, JR., Pastor of Payne Chapel, African Methodist Episcopal Church, Duquesne, offered the following prayer:

All dominion, majesty and glory belongeth unto God. Before Him now, we come to pray.

God of yesterday, God of today, God of tomorrow and God of eternity, look favorably upon this group. Forgive us of our transgressions of yesterday, and may we be inspired to live above the intended transgressions of today. As we are thus able to grow, we shall see, also, the State blossom into a better society.

May our dedication inspire in others higher attainment to the laws of the Commonwealth and of God. Bless us with strength equal to the tasks that await our attention. May right be never compromised for personal gains. May we think in terms of being agents, first for God, after which we can then be true agents for the people who chose us.

May we approach our work as if we had only this day in which to accomplish it. May we complete our work as if we ourselves would be bound by it forever. May our efforts prove a blessing for the dependent ones of our society, both the competent and incompetent. May their future be more than their present because we, the Members of this Assembly, have willed it so. In the wisdom and strength and love of God, by the grace of Jesus, may this be done. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency,

the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

In the House of Representatives, July 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Emily Howe, River Road, Beaver, Beaver County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1965, and until her successor shall have been appointed and qualified, vice Mrs. Henriette Kratzert, Monaca, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

In the House of Representatives, July 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Bream, (Democrat), 4201 Ridgeview Road, Colonial Park, Harrisburg, Dauphin County, for appointment as a member of the Advisory Board on Problems of Older Workers, for the term of four years or until his successor is appointed and qualified, vice Robert D. Hanson, Esq., Harrisburg, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE MILK CONTROL COMMISSION

In the House of Representatives, July 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Emerson Work, R. D. 1, Smock, Fayette County, for appointment as a member of the Milk Control Commission, until May 1, 1965, and until his successor shall have been appointed and qualified, vice Joab K. Mahood, Troy, whose term expired.

DAVID L. LAWRENCE.

### HOUSE MESSAGES

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1517

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:



In the House of Representatives, July 22, 1959.

Resolved (if the Senate concur), That House Bill No. 1517, Printer's No. 928, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing from annual to biennial registration and increasing registration fees.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### AMENDMENT TO HOUSE BILL No. 1530, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1530, entitled:

An Act amending "The Vehical Code," approved April 29, 1959 (P. L. )No. 32, by providing that no registration plates shall be issued to any person who has failed to pay for previously issued plates.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Th PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

#### AMENDMENTS TO HOUSE BILL No. 1665, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1665, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), clarifying the term "child" or "children" when it is used to indicate their entering or leaving a school bus.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 112, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) increasing liability for burial costs.

Which was committed to the Committee on Labor and Industry.

House Bill No. 253, entitled:

An Act providing for the payment of the salary, medical and hospital expenses of employees of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

Which was committed to the Committee on State Government.

House Bill No. 608, entitled:

An Act to further the economic development of the Commonwealth, providing for a economic message by the Governor, creating a Governor's Council for Economic Development and an Interdepartmental Economic Advisory Committee, and defining the powers and duties of these agencies.

Which was committed to the Committee on State Government.

House Bill No. 672, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing the use of money in the "fish fund" for an engineering survey of the Susquehanna River.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 777, entitled:

An Act relating to apprenticeship, creating a State Apprenticeship Council in the Department of Labor and Industry to formulate an apprenticeship policy and program; and defining its powers and duties, and providing for administration.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1126, entitled:

An Act amending the "Cooperative Agricultural Non-Stock Associations Law" approved June 12, 1919 (P. L. 466), requiring foreign cooperatives to add the word "cooperative" to their name.

Which was committed to the Committee on Agriculture.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

#### MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Fulton County Board of Assistance:

Mrs. Marie S. Mellott (Democrat), R. D. 1, McConnellsburg, Fulton County, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Ethel Decker, McConnellsburg, whose term expired.

Miss Helen Edwards (Democrat), Waterfall, Fulton County, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Blanche S. Hollenshead, Needmore, resigned.

Rev. J. Carl Williams (Democrat), McConnellsburg, Fulton County, until December 31, 1961, and until his successor is duly appointed and qualified, vice Howard L. Sipes, Harrisonville, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
TORRANCE STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Torrance State Hospital, from June 21, 1957, for the term of four years and until their successors are appointed and qualified:

Stephen Wisyanski, Monessen, Westmoreland County.  
Virgil Chirico, Jeannette, Westmoreland County.  
Orlando Marini, New Kensington, Westmoreland County.  
Clair Morgan, Mt. Pleasant, Westmoreland County.  
Clark Queer, Mt. Pleasant, Westmoreland County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
CLARION STATE TEACHERS' COLLEGE

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter L. Smith, Clarion, Clarion County, for appointment as a member of the Board of Trustees of Clarion State Teachers' College, from April 28, 1958, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
TORRANCE STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George F. Miller, 104 West Second Avenue, Latrobe, Westmoreland County, for appointment as a member of the Board of Trustees of Torrance State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice John W. Stader, Latrobe.

DAVID L. LAWRENCE.

MEMBER OF THE STATE COUNCIL OF CIVIL  
DEFENSE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank G. McCartney, Commissioner of the Pennsylvania State Police, Lansford, Carbon County, for appointment as a member of the State Council of Civil Defense, until the third Tuesday of January 1963.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. Paul Wingard, Belle Street Extension, Evans City, Butler County, for appointment as Justice of the Peace in and for the Township of Jackson, Butler County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

## COMMISSIONER OF DEEDS

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Maria O'Neill, 631—81st Street, Brooklyn 9, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from August 12, 1959.

DAVID L. LAWRENCE.

## REPORTS FROM COMMITTEES

Mr. SHAFER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 543, entitled:

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law, authorizing the investigation thereof, and prescribing the procedure therefor.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 623, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prescribing penalties for using obscene or offensive language over telephones, or repeatedly by telephone annoying, molesting or harassing another.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 650, entitled:

An Act amending the act of May 19, 1897 (P. L. 67), entitled "An act regulating the practice, bail, costs, and fees on appeals to the Supreme Court and Superior Court," changing and making uniform the time within which appeals may be allowed from courts of inferior jurisdiction and from administrative agencies.

He also from the Committee on Judiciary General, reported as committed, Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163), entitled, as amended, "Orphans' Court Act of 1951," divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; . . ." further providing for the taking of exceptions to rulings of the trial judge.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427), entitled "Criminal Procedure Act of 1860," further regulating setting prisoners at liberty on bail, in counties of the second class.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1818, entitled:

An Act amending the "Statutory Construction Act," approved May 28, 1937 (P. L. 1019), changing the computation of time in certain respects.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1819, entitled:

An Act amending the act of June 20, 1883 (P. L. 136),



entitled, "An act to regulate the computation of time under statutes, rules, orders and decrees of court, and under charters and by-laws of corporations, public and private," changing the computation of time in certain respects.

Mr. PROPERT, from the Committee on Highways, reported as committed, Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," requiring certain school districts to provide chaperons on school buses in certain cases.

He also, from the Committee on Highways, reported as committed, House Bill No. 1721, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) extending the use of manufacturer's, jobber's and dealer's registration plates.

Mr. KELLER, from the Committee on Insurance, reported as amended, Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employees from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 816, entitled:

The Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," modifying the requirements of notice of stockholder's meetings to consider increasing or decreasing the capital stock.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," further regulating increase of capital stock by stock insurance companies.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

He also, from the Committee on Insurance, reported as committed, House Bill No. 1375, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), imposing like burdens or restrictions upon commissions received by insurance companies or agents of other states as are imposed by other states upon commissions received by insurance companies and agents of this state.

He also, from the Committee on Insurance, reported as committed, House Bill No. 1389, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), changing provisions relating to nonforfeiture benefits and cash surrender values required in life insurance policies; and providing for an age set-back in certain cases.

He also, from the Committee on Insurance, reported as committed, House Bill No. 1390, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789) further regulating the computation of the reserve liability of life insurance companies.

He also, from the Committee on Insurance, reported as committed, House Bill No. 1391, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance; \* \* \*," changing the premium basis for group policies.

Mr. KOPRIVER, JR., from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of laws relating to safety in the bituminous coal mines and the preparation of a modern code relating thereto.

Mr. KELLER, from the Committee on Education, reported as committed House Bill No. 492, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for estimated semi-annual payments.

He also, from the Committee on Education, reported as committed House Bill No. 497, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), making the school at Cheyney a State Teachers' College in the First State Teachers' District.

He also, from the Committee on Education, reported as committed House Bill No. 981, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) changing provisions relating to attending high schools in nonresident districts and to the payment of tuition.

He also, from the Committee on Education, reported as committed Senate Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture; fixing fees; creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

He also, from the Committee on Education, reported as committed House Bill No. 1028, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

He also, from the Committee on Education, reported as amended House Bill No. 1029, entitled:

An Act amending the act of June 25 1941 (P. L. 159), entitled "Municipal Borrowing Law" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

## BILL RE-REFERRED

Mr. KELLER, from the Committee on Education, returned to the Senate, Senate Bill No. 872, entitled:

An Act amending the act of June 20, 1947 (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; . . ." further regulating exclusions from taxation.

Which was re-referred to the Committee on Local Government.

The PRESIDENT. At this time, the Chair will turn over the rostrum to Senator Fleming to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

## BILLS INTRODUCED AND REFERRED

Mr. SCOTT read in his place and presented to the Chair Senate Bill No. 1018, entitled:

An Act providing for the adjudication of contract and tort claims against the Commonwealth and the establishment of a Court to hear and determine such claims; providing settlement procedures and appeals to the Supreme Court; and making an appropriation.

Which was committed to the Committee on Judiciary General.

Messrs. MULLIN, DONOLOW, CAMIEL, McCREESH and SILVERT read in place and presented to the Chair Senate Bill No. 1019, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for a city college in each school district of the first class, and making an appropriation.

Which was committed to the Committee on Education.

## PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, there is no doubt that in the entire Union, there is no State which has a more glorious history than Pennsylvania. Unfortunately, we are not living up to Pennsylvania's heritage and sometimes we are neglecting many important events in the history of Pennsylvania.

We are just about four years, less one month, from the centennial of the Battle of Gettysburg. I maintain that Pennsylvania, at the time of the Civil War, was the arsenal of the Union and contributed immeasurably to the victory of the North.

To commemorate the centennial of the Battle of Gettysburg, it would be only proper to have a series of publications, citing the role of Pennsylvania during the Civil War.

For this reason, Mr. President, I am about to introduce this bill, on behalf of Senator Shafer and myself.

## BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and SHAFER read in place and presented to the Chair Senate Bill No. 1020, entitled:

An Act authorizing and directing the Pennsylvania His-

torical and Museum Commission to appoint a Civil War Publications Committee, providing for the selection, writing, and publication of material on Pennsylvania in the Civil War, and making an appropriation.

Which was committed to the Committee on Appropriations.

Messrs. WALKER and WHALLEY read in place and presented to the Chair Senate Bill No. 1021, entitled:

An Act amending the act of June 1, 1959 (Act No. 77), entitled "Public School Employees' Retirement Code of 1959," further regulating benefits to former school employees.

Which was committed to the Committee on Education.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 1022, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for approval by the Department of Health of sewage and water facilities in building projects.

Which was committed to the Committee on State Government.

Messrs. McCREESH and VAN SANT read in place and presented to the Chair Senate Bill No. 1023, entitled:

An Act providing group insurance, contracts and benefits for members and employees of the Senate, the cost thereof to be apportioned between the Commonwealth and such members and employees and requiring the Executive Board to enter into the necessary contracts for such purpose.

Which was committed to the Committee on Insurance.

They also read in place and presented to the Chair Senate Bill No. 1024, entitled:

An Act providing for group life insurance for members and employees of the Senate; establishing a schedule; providing for payments and providing for reduction of insurance upon retirement.

Which was committed to the Committee on Insurance.

Messrs. WEINER and BERGER read in place and presented to the Chair Senate Bill No. 1025, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the salaries of the members of the Workmen's Compensation Board and of Workmen's Compensation Referees; providing for the terms of office and the dismissal of Workmen's Compensation Referees.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 1026, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended "The Pennsylvania Workmen's Compensation Act," by changing compensation payable in certain instances; adding to the list of injuries for which compensation is payable; changing procedures; clarifying certain terminology; modifying the periods of limitations and making an appropriation.

Which was committed to the Committee on Labor and Industry.



Mr. WEINER read in place and presented to the Chair Senate Bill No. 1027, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "Pennsylvania Occupational Disease Act," by increasing the rate of compensation.

Which was committed to the Committee on Labor and Industry.

Messrs. LANE, CAMIEL and DONOLOW read in place and presented to the Chair Senate Bill No. 1028, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

### SENATE CONCURRENT RESOLUTION CONGRATULATING THE JOHN CONRAD WEISER FAMILY

Messrs. ELLIOTT, FLACK, WOLFE and RUTH offered the following resolution (Serial No. 115), which was read, considered and agreed to:

In the Senate, July 28, 1959.

June 25, 1960, will mark a high spot in the life and times of the John Conrad Weiser Family with the celebration of the 250th Anniversary of the arrival of the John Conrad Weiser Family at New York and the 200th Anniversary of the death of Conrad Weiser.

Born on November 2, 1696, in Wurttemberg, Germany, Conrad Weiser emigrated aboard the ship "Lyon" on June 13, 1710, to New York where the family settled at a camp along the Hudson River not far from the present Hyde Park. It is from this colony, sent to extract tar from pine trees for the British Navy, that Conrad Weiser laid the foundation of his multi-colored career for when the camp broke up in 1712, Conrad was invited by a friendly Indian chief to spend the winter with him. Thus began his role as Indian ambassador and interpreter.

In 1729 Conrad Weiser moved to Pennsylvania where he built a one-room stone house at the foot of Eagle Peak in the Tulpehocken Valley. It was at this modest home that he entertained his friends, among whom were some of Europe's most distinguished citizens, nearby colonists and hundreds of native Indians, and it was from this now famous spot that he built his famous reputation as farmer, businessman, financier, church and school organizer, and outstanding religious layman. Here, too, he served for nineteen years as a Judge of which eight were spent as the first President Judge of Berks County. Although a pacifist, he volunteered as a soldier during the Indian Wars but, from 1731 until his death, formed the link between Pennsylvania's Indians and the government. It was this cornerstone of friendship and understanding that helped maintain the friendship of the Six Nations and helped turn the tide from French to English dominance on the North American continent; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly commemorate the activities of a great fellow citizen, Conrad Weiser, and congratulate the John Conrad Weiser Family for continuing the ideals which he upheld and be it further

RESOLVED, That a copy of this resolution be forwarded to the John Conrad Weiser Family Association, Box 121, Gettysburg, Pennsylvania, for presentation at the observance of the twin-anniversaries of the family on June 25, 1960 at Weiser Park, Womelsdorf, Pennsylvania.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

### EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. PECHAN, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

### MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Fulton County Board of Assistance:

Mrs. Marie S. Mellott (Democrat), R. D. 1, McConnellsburg, Fulton County, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Ethel Decker, McConnellsburg, whose term expired.

Miss Helen Edwards (Democrat), Waterfall, Fulton County, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Blanche S. Hollenshead, Needmore, resigned.

Rev. J. Carl Williams (Democrat), McConnellsburg, Fulton County, until December 31, 1961, and until his successor is duly appointed and qualified, vice Howard L. Sipes, Harrisonville, resigned.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Torrance State Hospital, from June 21, 1957, for the term of four years and until their successors are appointed and qualified:

Stephen Wisyanski, Monessen, Westmoreland County.

Virgil Chirico, Jeannette, Westmoreland County.

Orlando Marini, New Kensington, Westmoreland County.

Clair Morgan, Mt. Pleasant, Westmoreland County.

Clark Queer, Mt. Pleasant, Westmoreland County.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter L. Smith, Clarion, Clarion County, for appointment as a member of the Board of Trustees of Clarion State Teachers' College, from April 28, 1958, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate George F. Miller, 104 West Second Avenue, Latrobe, Westmoreland County, for appointment as a member of the Board of Trustees of Torrence State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice John W. Stader, Latrobe.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE COUNCIL OF CIVIL DEFENSE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank G. McCartney, Commissioner of the Pennsylvania State Police, Lansford, Carbon County, for appointment as a member of the State Council of Civil Defense, until the third Tuesday of January 1963.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. Paul Wingard, Belle Street Extension, Evans City, Butler County, for appointment as Justice of the Peace in and for the Township of Jackson, Butler County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

#### COMMISSIONER OF DEEDS

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Maria O'Neill, 631—81st Street, Brooklyn 9, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years, to compute from August 12, 1959.

DAVID L. LAWRENCE.

A motion was made by Mr. BERGER and Mr. PECHAN, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Peckan,	Van Sant.
Camel,	Koprivier, Jr.,	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraf,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Fleming,
Harney,	McMenamin,	Silvert,	Presiding Officer
Hays,	Miller,	Stevenson.	

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the

question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. PECHAN. Mr. President, I second the motion. The motion was agreed to.

#### SENATE BILL No. 328 TAKEN FROM TABLE

Mr. WEINER. Mr. President, I call from the table Senate Bill No. 328, Printer's No. 353, which was recalled from the Governor for the purpose of amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### RECONSIDERATION ON SENATE BILL No. 328

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 328, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," extending the jurisdiction of borough policemen to include property outside the borough owned or controlled by the borough. passed finally on March 10, 1959.

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1 (Section 1125), page 2, line 11, by inserting after "borough" "whether such property is within or outside the limits of the borough"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.



## CALENDAR

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 95, entitled:

An Act amending the act of April 29 1959 (Act No 32) entitled "The Vehicle Code" authorizing the issuance of dealer registration plates to certain collector-possessors and limiting their use thereof

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 95

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 95.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.,	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraff,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Fleming,
Harney,	McMenamin,	Silver,	Presiding Officer
Hays,	Miller,	Stevenson,	

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

## OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 170, Printer's No. 1053, on concurrence in House amendments, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 665, entitled:

An Act amending the act of April 9 1929 (P L 343)

entitled "The Fisdale Code" further regulating the security required for deposits of State moneys

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 665

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 665.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Kalman,	Mullin,	Stiefel,
Berger,	Keller,	Murray,	Taylor,
Blass,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.,	Propert,	Wade,
Chapman,	Kromer,	Ripp,	Wagner,
Confair,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahady,	Sarraff,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Shafer,	Fleming,
Harney,	McMenamin,	Silver,	Presiding Officer
Hays,	Miller,	Stevenson,	

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL  
PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 33, entitled:

An Act amending the act of June 18 1941 (P L 137) entitled "An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by thier fire companies in any city borough town and township" extending the rights and powers of special fire police to other duties performed upon request of municipal authorities.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Madigan,	Rooney,	Walker,
Donolow,	Mahady,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarra,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Seyler,	Wolfe,
Harney,	McMenamin,	Shafer,	Fleming,
		Silvert,	Presiding Officer

## NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 96, entitled:

An Act amending the act of May 5 1933 (P L 289) entitled "Nonprofit Corporation Law" changing permissible corporate names and changing the law with the respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—50

Barr,	Kalman,	Miller,	Stevenson,
Berger,	Keller,	Mullin,	Stiefel,
Blass,	Kessler,	Murray,	Taylor,
Camiel,	Koprivier, Jr.	Pechan,	Van Sant,
Chapman,	Kromer,	Propert,	Wade,
Confair,	Lane,	Ripp,	Wagner,
DiSilvestro,	Madigan,	Rooney,	Walker,
Donolow,	Mahady,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarra,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Seyler,	Wolfe,
Harney,	McMenamin,	Shafer,	Fleming,
		Silvert,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 163, Printer's No. 954, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 195, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" providing Commonwealth reimbursement to school districts on account of migratory children attending their schools

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—49

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarra,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Seyler,	Wolfe,
Harney,	McMenamin,	Shafer,	Fleming,
		Silvert,	Presiding Officer

## NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 277, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, one of the things which troubles me about this bill—and I do not have enough information nor have I heard from anyone in regard thereto—is that it raises the amount of money that school directors would receive on a trip to a convention from \$8 to \$12. It also raises the amount they would receive in travel from six cents a mile to seven cents a mile.

I am troubled by the fact that I am not so sure whether the people who are going to have to pay this can afford this increase. It is a fifty per cent increase in the amount which they are going to receive per diem. I am concerned about whether the people can afford to pay this



or not. I do not want to be in the position of enacting legislation for some community that does not want or cannot afford the legislation which is being saddled on them by the Legislature.

If someone can answer this question for me, I would appreciate hearing from them.

Mr. BERGER. Mr. President, I am informed that this is consistent with the amount which is paid for attendance at other conventions and, presumably, as this will only happen once in four years, the raise in compensation would be consistent with the present day expense.

Mr. WEINER. I want to thank the gentleman for the information, Mr. President.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Blass,	Kessler,	Pechan,	Taylor,
Camel,	Koprivier, Jr.	Propert,	Van Sant,
Chapman,	Kromer,	Ripp,	Wade,
Confair,	Lane,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Ruth,	Walker,
Donolow,	Mahady,	Sarrafi,	Watkins,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,	Silvert,	Fleming,
Hays,	Miller,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 278, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying the law relating to the election of a joint board secretary and when he shall take office.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I just wish to inform the Members of the Senate that the Department of Public Instruction, which has written me in regard to this matter, approves this legislation. They feel it will take care of a problem that has been besetting some of these boards for some time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—48

Barr,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Blass,	Keller,	Pechan,	Taylor,
Camel,	Kessler,	Propert,	Van Sant,
Chapman,	Koprivier, Jr.	Ripp,	Wade,
Confair,	Kromer,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Ruth,	Walker,
Donolow,	Mallery,	Sarrafi,	Watkins,

Ehrgood,  
Elliott,  
Flack,  
Harney,

McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Scott,  
Seyler,  
Shafer,  
Silvert,

Weiner,  
Whalley,  
Wolfe,  
Fleming,  
Presiding Officer

## NAYS—2

Lane,

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 321, Printers No. 346, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I have no objection to this bill going over in its order, but I just want to point out to the gentleman that this bill has been with us a long time. I think that the Register of Wills of Philadelphia might be able to use some money, just like the people in the fourth through the eighth class counties, whom we took care of in previous weeks. I would just like to bring this to the Senate's attention and hope that the Register of Wills will not have to apply to the Department of Public Assistance where we will have to get some money for him anyway.

Therefore, Mr. President, I hope this will become the order of business next week, sometime.

Mr. BERGER. Mr. President, I am sure the latter statement is correct, but I am also quite certain that the Register of Wills is not going to lose anything by our putting this bill over in order today or even another week or more. We do not intend to do that, but he certainly cannot receive this money if we pass this bill, until Philadelphia gets a new Register of Wills.

Mr. WEINER. Mr. President, we will arrange that latter part for him, as soon as we get him some money.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 323, Printer's No. 505, on third reading, go over in its order.

There have been amendments prepared, but they are somewhat faulty. However, they will be here on Monday or else we will pass the bill without the amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 345, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the annexation of certain territory in a township which territory is contiguous to and owned by the borough.

And said bill having been read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarraf,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Seyler,	Wolfe,
Harney,	McMenamin,	Shafer,	Fleming,
		Silver,	Presiding Officer

## NAYS—1

Mahady.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 466, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect, prepare and file data concerning burial places of military, naval and other combat personnel with the county commissioners.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silver,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 468, entitled:

An Act amending the act of July 28, 1953 (P. L. 723)

entitled "Second Class County Code" further regulating membership of the board of managers of the memorial monument or memorial hall in honor of the soldiers, sailors and marines of the county and providing rooms for use of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silver,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 472, entitled:

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day" authorizing appropriations to post of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silver,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.



Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members of State Teachers Colleges.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 703, Printer's No. 1143; and

Senate Bill No. 810, Printer's No. 1010.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 861, entitled:

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employes of school districts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Kalman,	Miller,	Stevenson,
Berger,	Keller,	Mullin,	Stiefel,
Blass,	Kessler,	Murray,	Taylor,

Camiel,	Koprivier, Jr.,	Pechan,	Van Sant,
Chapman,	Kromer,	Ripp,	Wade,
Confair,	Lane,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Ruth,	Walker,
Donolow,	Mahady,	Sarra,	Watkins,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,	Silvert,	Fleming,
Hays,			Presiding Officer

#### NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MULLIN. Mr. President, I believe the Senator was sleeping when this bill came up. It came up so fast. I understood that Senator Mahady intended to speak on it. However, since this bill increases interest on loans about fifty-two per cent, I suggest that perhaps we should pass a companion bill, increasing the rates on highway robbery.

The PRESIDING OFFICER. The gentleman is out of order. There is nothing in order except the announcement of the roll call.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—39

Barr,	Harney,	Miller,	Stevenson,
Berger,	Kalman,	Pechan,	Taylor,
Blass,	Keller,	Propert,	Van Sant,
Camiel,	Kessler,	Ripp,	Wade,
Chapman,	Koprivier, Jr.,	Rooney,	Wagner,
Confair,	Kromer,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarra,	Watkins,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McGinnis,	Shafer,	Wolfe,
Flack,	McMenamin,	Silvert,	

#### NAYS—11

Donolow,	Mahady,	Murray,	Weiner,
Hays,	McCreesh,	Seyler,	Fleming,
Lane,	Mullin,	Stiefel,	Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 916, entitled:

An Act amending the act of May 13 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots herein before their approval under penalties \* \* \*" further regulating the powers of the department of city planning over plats or subdivisions of land.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Kalman,	Miller,	Stevenson,
Berger,	Keller,	Mullin,	Stiefel,
Blass,	Kessler,	Murray,	Taylor,
Camiel,	Koprivier, Jr.,	Pechan,	Van Sant,
Chapman,	Kromer,	Propert,	Wade,
Confair,	Lane,	Ripp,	Wagner,
DiSilvestro,	Madigan,	Rooney,	Walker,
Donolow,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraf,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Harney,	McGinnis,	Seyler,	Wolfe,
Hays,	McMenamin,	Shafer,	Fleming,
		Silvert,	Presiding Officer

#### NAYS—1

Ehrgood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 917, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the lien of such claims and judgments.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,

Blass,	Keller,	Murray,
Camiel,	Kessler,	Pechan,
Chapman,	Koprivier, Jr.,	Propert,
Confair,	Kromer,	Ripp,
DiSilvestro,	Lane,	Rooney,
Donolow,	Madigan,	Ruth,
Ehrgood,	Mahady,	Sarraf,
Elliott,	Mallery,	Scott,
Flack,	McCreesh,	Seyler,
Harney,	McGinnis,	Shafer,
	McMenamin,	Silvert,

Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Whalley,
Wolfe,
Watkins,
Weiner,
Fleming,
Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 941, entitled:

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 957, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing the procedure for a change of classification.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,



Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Harney,	Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, Silvert,	Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Fleming, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1080, Printer's No. 1163, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1220, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for continuing operation of joint school systems when one or more member districts fail to unite with other member districts in the formation of a union or merged school district.

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, Silvert,	Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Fleming, Presiding Officer
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## NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1231, entitled:

An Act amending the act of April 12 1951 (P. L. 90)

entitled "Liquor Code" excepting certain restaurants at airports from the quota limitations.

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

## YEAS—27

Berger, Blass, Camiel, Confair, DiSilvestro, Donolow, Harney,	Kalman, Kessler, Koprivier, Jr. Lane, Mahady, McGinnis, McMenamin,	Mullin, Murray, Pechan, Ripp, Rooney, Ruth, Sarraf,	Scott, Silvert, Stiefel, Van Sant, Watkins, Weiner,
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## NAYS—20

Chapman, Ehrgood, Elliott, Flack, Hays,	Keller, Kromer, Madigan, Mallery, McCreesh,	Propert, Seyler, Shafer, Stevenson, Wade,	Wagner, Walker, Whalley, Wolfe, Fleming, Presiding Officer
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1326, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing certain county boards to establish and operate audio-visual libraries and providing for the costs there.

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, Silvert,	Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Fleming, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1429, entitled:

An Act amending the act of March 10 1949 (P. L. 30)

entitled "Public School Code of 1949" permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
Donolow,	Lane,	Rooney,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2076, entitled:

An Act amending the act of July 28 1953 (P. L. 723) entitled "Second Class County Code" further regulating the amount of retirement allowances and payments to the retirement fund by the county and by employes.

And said bill having been read at length the third time, and agreed to,

On the question?

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2127, entitled:

An Act reenacting and amending section 11 act of May 22 1935 (P L 233) entitled "Policemen's Relief and Pension Fund Law" providing a time when payments shall be made to the widow and children of members who are killed while on duty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2128, entitled:

An Act reenacting and amending clause (2) of section 9 act of May 25 1933 (P L 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof \* \* \*" providing for a time when payments shall first be made to the widow and children of members who are killed while on duty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2132, entitled:

An Act reenacting and amending clause (5) of section 13 act of May 22 1935 (P L 233) entitled "Policemen's Relief and Pension Fund Law" providing a time when payment of pensions upon disability shall first be made

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Proper,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarrafi,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2135, entitled:

An Act reenacting and amending sections 11 and 11.1 act of May 25 1933 (P L 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof \* \* \*" providing when pension payments to disabled members of the pension fund shall first be made

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Proper,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarrafi,	Weiner,
Elliott,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Wolfe,
Harney,	McGinnis,	Shafer,	Fleming,
	McMenamin,	Silvert,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### SECOND READING CALENDAR

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1, Printer's No. 99;

House Bill No. 141, Printers' No. 489; and

Senate Bill No. 280, Printers' No. 1174.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 463, entitled:

An Act amending the act of March 17 1921 (P L 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the solidiers sailors and marines of such counties providing for an election to determine whether such halls shall be erected . . ." requiring memorial halls to contain rooms for meetings of the Italian American World War Veterans of the United States Incorporated and further regulating the compensation of the board of control of the memorial hall

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 464, entitled:

An Act amending the act of August 9 1955 (P L 323) entitled "The County Code" authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 465, entitled:

An Act amending the act of April 8 1867 (P L 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the peddling of labeled flowers of the Italian American World War Veterans of the United States Incorporated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 469, entitled:

An Act amending the act of August 9 1955 (P L 323)

entitled "The County Code" providing rooms for use of the Italian American World War Veterans of the United States Incorporated and for its membership on the board of control

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 523, Printer's No. 1070, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 719, entitled:

An Act authorizing the display of the American War Mothers' banner on the main building of the State Capitol of the Commonwealth on Veterans' Day

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 814, Printer's No. 1175, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 828, entitled:

An Act amending the act of June 17, 1913 (P. L. 507) entitled "Intangible Personal Property Tax Law" providing that the tax shall not apply to property held in certain trusts established by individuals for retirement purposes.

The first section was read,

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, we have discussed Senate Bill No. 828, Senate Bill No. 829 and Senate Bill No. 830 previously. The remarks I am going to make in regard to Senate Bill No. 828 are appropos to the other two bills. These three bills are predicted on the passage of a Congressional Act, known as the Smith-Keogh Act. I would like to bring to the attention of the Senate that this bill passed the House by a voice vote. There was a hearing held on it in the Senate of the United States, and the subcommittee was of the conclusion that this was a controversial matter.

This matter deals with the problem of a man who is individually employed being allowed to set aside some personal thing to provide for himself, much the same as the welfare pension funds provide for the man in a union, which is a good idea and, I think, has some merit.

The only other problem that is involved here is a local

problem. These bills would remove from the local government the right to collect whatever millage or tax they receive on this intangible personal property, which makes up the basis in the Philadelphia area for school district collections.

I do not know that we are making any provision for this amount of personal property being taken out of circulation. It is much the same as delimiting what the taxing authority may tax. If building X, Y or Z cannot be taxed because it is being used for another purpose, the revenue or income is thereby cut down. Unless you provide some kind of a substitute to make up this revenue, even though the purpose is a laudable one, I think it is much more important that we educate our children or provide a means for taking care of the young people of this Commonwealth, rather than being concerned about a person's declining years because he may or may not have this if Congress does not see fit to pass this Act or if they see fit to pass it, the President may decide to veto it.

Therefore, I respectfully suggest that we put these bills on the Postponed Calendar until such time as Congress acts. I am under the impression—and if I am misinformed, I am sure someone here will correct me—that we are going to be here another week or so, and we can find out what Congress will do in this regard and we can take the appropriate action at that time.

Mr. BERGER. Mr. President, what the Senator said is entirely correct as far as these bills depending upon the passage of the Smith-Keogh Bill in Congress. However, I see no reason why we should not put these bills up, at least to Third Reading, and if we want to hold them there for a couple of days to see whether Congress is going to act, that will be all right.

However, it has been pointed out to me that Congress is in practically continuous Session, whereas we are here only once every two years under the present Constitution, which may be changed. Therefore, it might be well for us to pass these bills in the event that Congress will act upon them favorably at its next meeting.

I am only suggesting now that we pass them on second reading and we can discuss them later, which will be on Monday.

Mr. WEINER. Mr. President, might I suggest that if we are going to take up this entire problem, that perhaps the problem we should concern ourselves with and address ourselves to, at this time, is where we are going to make up this added revenue which is going to be lost by the passage of this type of legislation. It is my desire to put these bills on the Postponed Calendar so that we can explore these areas and come up with some answers. Perhaps there are not any answers. I, at least, would like to have the benefit of that type of advice before I would vote on these bills, either pro or con.

The PRESIDENT. Are you moving that these bills be placed on the Postponed Calendar, Senator?

Mr. WEINER. Mr. President, if there is some objection to their being placed on the Postponed Calendar, rather than prolong this debate, I will ask that they go over in order.

Mr. BERGER. Mr. President, we are ready to move these bills up to Third Reading. As I said to Senator Weiner, we will have an opportunity for the balance of this week, and certainly one or two days next week, at the least, to obtain further information and to discuss



them. However, at the present time, I believe the bills should be moved up and I object to their going over in order.

Mr. MAHADY. Mr. President, I want to call to your attention the fact that we have gone a little too fast here today. Not only are Senate Bills Nos. 828, 829 and 830 premature, but also Senate Bill No. 814. As I understood it, the agreement was that Senate Bill No. 814 was to be taken from the Postponed Calendar for Second Reading only, and that it would be placed back on the Postponed Calendar.

Mr. BERGER. I recall no such commitment, Mr. President.

Mr. MAHADY. Mr. President, at least I draw attention to the fact that the Senator should consider such a commitment that was made to me in relation to placing it on the Third Reading Postponed Calendar.

Mr. WEINER. Mr. President, I would just like to mention one other thing. As I said, I do not want to prolong this debate.

I think in the 1951 Session of the Legislature, we found ourselves in a similar position on the county health unit, whereby the Federal Government was supposed to return to the State, for the county units which so desired it in the States which had set up the program, \$1.50 per citizen for those States which adopted this type of legislation. Pennsylvania went ahead with that in mind and adopted this program and, unfortunately, Congress never saw fit to pass that Act.

We now find ourselves in the position where we are supporting this type of legislation and will have to provide money in every Session of the Legislature, without any help from Congress. I do not think we should put ourselves in that position. Congress will probably adjourn sometime in August. I presume, unless the gentleman on the other side can advise me of a better date, that we will be here in August, also. Therefore, I think we might have some of the benefit of the advice of Congress when we do anything of this nature, before we put ourselves into the position of enacting legislation which we will have to enforce.

Mr. BERGER. Mr. President, fortunately a very limited number of counties have availed themselves of the County Health Act so that they might also be considered a little shortsighted, even though the Legislature might have been somewhat hasty in passing the legislation. In fact, I think they were quite hasty in passing it.

However, in regard to these particular bills, Mr. President, as I stated before, the purpose of them, as Senator Weiner said, is laudable and they are intended to assist people in setting up some kind of a security program for themselves at the same rate as provided for persons who are employed and for whom these trusts are set up, and they are tax-exempt.

For our present purposes, Mr. President, I reiterate, we can pass these bills up to Third Reading now and we will have time to further consider them at the end of the week and the beginning of next week.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 829, entitled:

An Act amending the act of May 23, 1949 (P. L. 1676) entitled as amended "An Act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property \* \* \*" providing that the tax shall not apply to property held in certain trusts established by individuals for retirement purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 830, entitled:

An Act amending the act of June 20, 1947 (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property \* \* \*" providing that the tax shall not apply to property held in certain trusts established by individuals for certain purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 835, Printer's No. 970, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### REQUEST THAT BILLS GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 879, Printer's No. 1034;

Senate Bill No. 880, Printer's No. 1035; and

Senate Bill No. 881, Printer's No. 1036.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, these bills read very plainly and they do exactly what they say. They provide for some increased payments to beneficiaries under certain retirement funds. I think they, too, should be moved up to Third Reading and if there is debate to be had upon them, we can take that up on Monday.

I will object to their going over in order.

Mr. WEINER. Mr. President, there is a bill on the Postponed Calendar, which has been languishing there for sometime, and which we had asked to be recommitted to committee sometime ago. It is Senate Bill No. 764, Printer's No. 872. I do not think that anyone sitting in this room or anyone who has read these bills is so naive that they do not realize that they have great political implication and that the communities being affected thereby have had no voice in this legislation. I think these communities should have the opportunity, at least, to have our counsel and perhaps there are some amendments necessary to these bills.

If there is great haste necessary or someone is being injured, and we must move hastily on these matters, I would like to be so advised. If such haste is not necessary, I am sure the sponsors of these bills on the other side of the aisle, or one or them, at least, will not object to the bills lingering one more day.

The PRESIDENT. Are you calling up these bills, Senator?

Mr. WEINER. No sir, I have asked that they go over in order. That was my request. I believe the Majority Leader's statement, if I understand correctly, was that he objected to the bills going over in order. My statement is that I do not think this matter is of great importance unless someone is being injured thereby, and I am sure all of us would want to act on this immediately if someone were being injured.

The PRESIDENT. There has been objection to the bills going over in order.

Mr. BERGER. Mr. President, in order to clarify the situation, the Minority Leader has stated there might be some amendments which should be put in the bills, which might be desired, and I reiterate what I have always said. We will not object to the offering of amendment on Third Reading. When these bills appear on Third Reading and they desire to amend them, we will have no objection whatever to the offering of amendments. I do not want to be misunderstood, however. We might not approve them.

The PRESIDENT. You do reiterate your objection to having Senate Bill Nos. 879, 880, and 881 go over in their order?

Mr. BERGER. Yes, Mr. President.

Mr. WEINER. I do not have the votes, Mr. President.

The PRESIDENT. There being objection, the Senate will proceed to the consideration of these bills.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 879, entitled:

An Act amending the act of May 25 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \* \* \*" increasing payments to certain beneficiaries under the fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 880, entitled:

An Act amending the act of May 28 1915 (P. L. 956) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 881, entitled:

An Act amending the act of May 22 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" increasing payments to certain beneficiaries under the fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 891, Printer's No. 1046, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 939, Printer's No. 1137, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printer's No. 1140, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 972, Printer's No. 1141;

House Bill No. 1035, Printer's No. 291; and

House Bill No. 1099, Printer's No. 459.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1224, Printer's No. 385, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I would like to point out to the gentlemen that this bill has been with us a long time and if there is objection to it, I would like to find out what it is. Perhaps we can clear it up or perhaps we cannot clear it up.

This bill regards the sale of some ground at Woodville. I did not notice any votes objecting to this bill when it passed the House. If there is some defect in the bill or



it needs some amending, I think we should do that. It has been with us quite a while.

The PRESIDENT. Are you willing that the bill go over in order?

Mr. WEINER. Mr. President, I am only in the position of an observer. I do not have the votes to either object or to make a motion.

The PRESIDENT. There being no objection, the bill will go over in its order.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1305, Printer's No. 868; and

House Bill No. 1374, Printer's No. 902.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1507, Printer's No. 588, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1881, entitled:

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "Consumer Discount Company Act" further regulating the granting of licenses and providing for appeals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1936, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes" designating the lake area on which motor boats may be operated and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for estimated semi-annual payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" making the school at Cheyney a State Teachers' College in the First State Teachers College District.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law, authorizing the investigation thereof, and prescribing the procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employes from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of laws relating to safety in the bituminous coal mines and the preparation of a modern code relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 623, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prescribing penalties for using obscene or offensive language over telephones.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 650, entitled:

An Act amending the act of May 19, 1897 (P. L. 67) entitled "An act regulating the practice bail costs and fees on appeals to the Supreme Court and Superior Court" changing and making uniform the time within which appeals may be allowed from courts of inferior jurisdiction and from administrative agencies.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163), entitled, as amended "Orphans' Court Act of 1951," divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; . . . further providing for the taking of exceptions to rulings of the trial judge.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," further regulating increase of capital stock by stock insurance companies.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 428), entitled "Criminal Procedure Act of 1860," further regulating setting prisoners at liberty on bail, in counties of the second class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 981, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," changing provisions relating to attending high schools in non-resident districts and to the payment of tuition.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing permanent certification for certain persons teaching in private institutions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," requiring certain school districts to provide chaperons on school buses in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for the second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1028, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1029, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1375, entitled:

An Act amending the act of May 17 1921 (P L 789) en-



titled as amended "The Insurance Department Act of 1921" imposing restrictions upon payment or division of commissions.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1389, entitled:

An Act amending the act of May 17 1921 (P L 682) entitled "The Insurance Company Law of 1921" changing provisions relating to non-forfeiture benefits and cash surrender values required in life insurance policies and providing for an age set-back in certain cases.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1390, entitled:

An Act amending the act of May 17 1921 (P L 789) entitled as amended "The Insurance Department Act of 1921" further regulating the computation of the reserve liability of life insurance companies.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1391, entitled:

An Act amending the act of May 11 1949 (P L 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." changing the premium basis for group policies.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of April 29 1959 (Act No 32) entitled "The Vehicle Code" extending the use of manufacturer's jobber's and dealer's registration plates.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1818, entitled:

An Act amending the act of May 28 1937 (P L 1019) entitled "Statutory Construction Act" changing the computation of time in certain respects.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1819, entitled:

An Act amending the act of June 20 1883 (P L 136) entitled "An act to regulate the computation of time under statutes rules orders and decrees of court and under charters and by-laws of corporations public and private" changing the computation of time in certain respects.

And said bill having been read at length the first time,  
Ordered, To be transcribed for second reading.

## BILLS INTRODUCED AND REFERRED

Mr. MULLIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MULLIN and ROONEY read in place and presented to the Chair Senate Bill No. 1029, entitled:

An Act regulating the width of road lines on the Pennsylvania and its extensions.

Which was committed to the Committee on Highways.

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McMENAMIN read in place and presented to the Chair Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore, County of Lackawanna, Pennsylvania for the use of the Department of Revenue, and making an appropriation.

Which was committed to the Committee on State Government.

Mr. SCOTT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SCOTT, McGINNIS and SARRAF read in place and presented to the Chair Senate Bill No. 1031, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," providing for the issuance of special permits authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

Which was committed to the Committee on State Government.

Mr. BERGER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BERGER and WAGNER read in place and presented to the Chair Senate Bill No. 1032, entitled:

An Act amending the act of June 27 1947 (P. L. 1046) entitled "State Tax Equalization Board Law," requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 1033, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law," increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.

Which was committed to the Committee on State Government.

## PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, last week, when we were

nearing adjournment, I believe the gentleman from Cumberland. Senator Wade, advised the Members of the Senate, in a speech that he made, that he did not feel that the Administration nor the Governor were interested in the use of radar. I do not believe I am misquoting Senator Wade, because I have a copy of his remarks here and I believe that is what he stated.

Mr. President, I would like to advise Senator Wade that this bill passed the House by a vote of 133 to 62. In a newspaper article—I am reading from the Philadelphia Bulletin, which nearly everybody in Philadelphia reads—It states as follows:

“Senator George N. Wade, Republican and chairman of the Senate highways committee to which the bill will probably be sent, is regarded as the leading opponent of radar in the Legislature.”

I do not know whether Senator saw fit to make this statement to the newspaper or whether this was a statement merely on behalf of the newspaper, itself, based on the remarks which he has made here from time to time.

I am under the impression—and I am sure that if it is a misimpression, you will correct me—that the bill was sent to the State Government Committee. However, as an expert in highway matters, and having been Chairman of the Committee on Highways, I am sure that you will have some say in this matter. I do not wish to interrogate you, Senator, as to your thoughts on this matter, but I am wondering, in view of the fact that the House saw fit to pass it by an overwhelming majority and a good many of the persons who voted for it were not all members of the same political persuasion, because the number of Democrats in the House is about 108, whether your feeling in this matter now has somewhat changed and I am wondering whether you feel as intent upon not to pass the radar bill, as you seemed to indicate.

I would also like to point out, and I believe you stated this, that you felt that radar was a means of annoying people and also did not cut down the death rate. I did not gather from your remarks of last week—unless I may have missed it—that you could show if they did not have radar in any of the States, that their death toll or fatalities would not be higher than you indicated.

I would also like to point out that part of our problem in this Commonwealth, as members of the State Government, is not to arrest persons or people whom we feel are violating the law. However, I believe our purpose is to arrest the bloodshed which is taking place everyday on our highways.

I would like to know from you whether you feel that the Members of this Body should have some expert advice and whether we should get people who display some expertise in this area to come before us, either as the Highways Committee or this Senate as a group, so that we may have the benefit of this type of counsel before we take any action in this direction.

I did, however, gather from some of the remarks you made last week that you felt radar would only help to increase the number of fatalities that we have had. I would also like to point out to you that we received, just very recently, a plaque in regard to safe driving, and that we are number one in the Country, according

to the National Safety Council's Achievement Award, for the ninth year as the safe driver State. We have a very enviable record. My own opinion is that we could make it even more enviable if we instituted radar, as some of the areas have found it to be very profitable and very helpful.

Mr. WADE. Mr. President, may I submit to you, and to the Members of the Senate, that the gentleman's statement was somewhat like a personal conversation? He directed questions to me instead of addressing the Senate?

I want to renew my statements of my admiration of his ability and of him, as a person. However, I would suggest to him that he is badly confused in some of these things. He is extremely confused. As a matter of fact, if I wanted to be facetious, I would suggest to Congressman Green, from Philadelphia, that he appoint me as the gentleman's advisor; not as his legal advisor, but as his advisor. Yesterday, in a rather confused statement on Senate Bill No. 872, he made statements which were quite misleading and he voted badly. Had Congressman Green appointed me as his advisor, I would have advised him to vote for Senate Bill No. 872 because both he and Senator Mahady, at that time, were confused in their statements.

Senate Bill No. 872 merely permits trustees for a pension or welfare plan to pass over to a corporate trustee the custody of certain securities that they must hold under the National laws for safekeeping.

Mr. WEINER. Mr. President—

The PRESIDENT. Will the gentleman yield?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Mr. President, I tried to follow the gentleman's remarks and I do not want to appear rude by interrupting him, but I think he is talking about Senate Bill No. 872. Unless the History of the Senate is in error, this bill is not even out of committee.

Mr. WADE. My apologies, Mr. President.

Mr. WEINER. This bill deals with the mercantile tax and school districts of the first class cities. I do not know whether I even voted on that bill. I hope I was here yesterday in order to have had an opportunity to vote on it.

Mr. WADE. Mr. President, I apologize to the gentleman. I am talking about Senate Bill No. 473. It might be, before I am finished, that we will get around to Senate Bill No. 273, or whatever number we were using before.

The PRESIDENT. It is a difference of roughly 199 bills.

Mr. WADE. Mr. President, if I may continue under Personal Privilege, I want to say to the gentleman that he, there, voted against a group of people who want to be frugal and to lay aside something for a rainy day. However, he said, in substance, to the people of Philadelphia whom he represents, and to the people of the Commonwealth, “You should not have the privilege of putting this in safekeeping.” That is his own matter and—

Mr. WEINER. Mr. President, I do not want to interrupt the gentleman, but I think that we should get the record straight in order for me to follow this debate.

I did not vote against Senate Bill No. 472 nor Senate Bill No. 473.

Mr. WADE. Mr. President, I think the record will show that he voted against Senate Bill No. 473. At least, I have that record, so far as I am concerned. If he did not vote against it—

Mr. WEINER. Mr. President, I would like to indicate



to the gentleman that I voted in favor of Senate Bill No. 472 and Senate Bill No. 473. The record will so show. If we would like to clarify this matter, I think we should ask the Clerk who took the roll call.

Mr. WADE. If the record so states, Mr. President, I apologize to the gentleman and we will go to another matter.

Now that he has brought up the matter of highway safety, I would suggest to the gentleman that he, in this Body, yesterday, voted for a suggestion to the State Police to increase the speed limit within the tunnel—I am speaking about the tunnel on the Turnpike—On Sunday evening, which is the most dangerous time of the entire week. That was a resolution which was placed before us yesterday. It passed with the unanimous vote of this Body.

The PRESIDENT. Senator Weiner, is there some comment that you wish to make at this time?

Mr. WEINER. No; I think it was unanimous. However, the gentleman is stating then that he also voted for it.

Mr. WADE. I am not talking about how I voted. I am talking about how he voted. He is the one who opened the discussion and purports to be for so much highway safety.

Let me say further, Mr. President, that the gentleman's remarks, regarding Pennsylvania's highway safety, are a matter of record. Let me say, too, that if "Rip Van" Shipley were fully aware of the situation as it now exists, he would perhaps have a copy of the Annual Inventory of Traffic Safety Activities for 1958, which was published last week, in which it states, in part, as follows:

"The 1958 death rate per 100,000,000 vehicle miles of travel in Pennsylvania was 4.3. The average rate for the preceding three years was 4.8. The attached table shows deaths and death rates for each of the last four years. The National average for 1958 was 5.6. The lowest rate in this group of States was 4.3."

The lowest average of the group at that rate was Pennsylvania. This group of States includes California, Illinois, Michigan, Indiana, New York, Ohio and Texas.

I submit to you, Mr. President, that our rating, as the gentleman said previously, is the highest in the Union. Some statements have been made on the floor of this Senate, stating that Pennsylvania is one of the very few States which does not legalize radar. I submit to you that our record is at the top of the list, despite the fact that we do not legalize radar.

Then, may I again refer, Mr. President, to a copy of News Week, of March 16, 1959, in which it points out that this same National Safety Council shows that speed is not the factor in accidents. It shows it very clearly in a detailed statement. Further, if I may, I shall point to today's Philadelphia Inquirer, dated July 28, 1959, in which it states:

"Auto Death Rate Cut in Half on U. S. Turnpikes."

The article is dated, "Chicago, July 27," and reads, in part, as follows:

"The Nation's turnpikes achieved a shining record in safety last year. Despite the relatively high speeds permitted on such expressways, they were nearly twice as safe as other roads and highways."

I discontinue quoting, and remind the gentleman that these are America's fastest highways.

Again, from the same article, I read as follows:

"Deaths on the turnpikes averaged 1.3 for each 100 million passenger miles, compared with 2.3 on other highways and roads.

"Allowing for fatalities to passengers other than the driver, that means the average turnpike motorist could expect to cover about 50 million miles before becoming involved in an accident in which someone was killed."

All this is evidence which would be very easily obtainable by the gentleman or by our Highway Safety Director. I think it is incumbent upon him, instead of supplying these half-truths to my colleague, whose duty it is to defend him in the Senate, that he submit the information which is available and place in his hands the marvelous record of the Commonwealth of Pennsylvania, the great safety record of which we are all so proud.

The statement which the Governor made last week to the Chiefs of Police is juvenile, in a way. He is like a president of an insurance company who expects to run an insurance company without any losses whatever.

I hope we can cut it down. I have worked for years with it and it is not a new proposition. I have enjoyed Membership in this Senate for years and have worked for safety. I commend the Governor, Senator Weiner and all those who work toward safety. However, I say to them, at the same time, that they should give due and proper credit to the great army of drivers that we have in Pennsylvania, who drive so safely and who use our highways so well. They are to be commended, rather than to be constantly harassed and constantly have the finger of scorn pointed at them. They deserve our credit, our commendation and best wishes.

Mr. WEINER. Mr. President, we have gone from banking to the mercantile tax and we finally got to radar.

I would like to point out to the gentleman from Cumberland that he could not possibly get Congressman Green to appoint him as my counsel, because I think the gentleman from Lebanon has already usurped that privilege as of yesterday. I would suggest to the gentleman from Cumberland that he not give away his secrets or else the gentleman from Lebanon is going to leap in and grab them at any chance he can get.

I would like to point out one other misstatement which was made and, I am sure, unintentionally. The resolution that we had introduced yesterday was merely for the State Police to study this problem. Senator, unless I misunderstood you, a unanimous vote, I always thought, included everyone who was present. When I looked over yesterday, you were present when this resolution was read and I think you also voted for it. That does not give people license to go ahead and do this thing. It was merely a resolution of this Body, asking that this matter be looked into by the State Police and we agreed they should look into it. Unless you feel that we made an error, I think perhaps a resolution on your part, nullifying this, might be in order. Of course, you would have to consult your other counsel from Lebanon and have him advise you on this matter. I would not want you to act without advice of counsel.

I would like to ask you something else, Senator, in a more serious vein. Are you happy with the death toll in this State and would you like to leave it the way it is? Do you not think that it is part of our duty to address our-



selves to that problem and see if we can cut down this death toll? If anything, regardless of what it is, will save even one life in this State, I think it is our duty to look into it and to take a very mature view, and a cold sober look at this problem to see if actually something can be done.

In my remarks to you originally, I invited you to bring these alleged experts, and persons with some experience in these different problems, before us and let us have the benefit of their counsel and their advice. I think for you or anyone else to take the position that we do not need this, and it is a bad thing to have or even to experiment with, is an error because if there is anything that we can do that is within our power to save a life, I think it is incumbent upon us to do it.

As to your remarks about the Governor, I believe he is unlike an insurance company because most of them do not want to recognize a loss. When I am at home and have an opportunity to try a negligence case, I always find insurance companies go out of their way to hire high-priced counsel, who always say that they did not lose anything and there was nothing to this matter and they are going to do everything they can, and if they can get twelve men to agree with them, they are not going to pay the claim, whereas, the Governor is willing to recognize that there are losses. What he is saying is, "What can we do to cut down these losses? What can we do to save even a single life among the citizens of our State?"

I think it ill behooves us to jest about this matter, because the people who are losing their lives are only causing us further problems because their families that are left as public charges become our problem in looking after them and providing money to keep them and their families and other persons who are dependent on the wage earner who might be killed or might have lost his like in any of these fatalities.

Mr. WADE. Mr. President, the gentleman asked rather direct questions in a matter that I do not think is in accordance with our rules. However, I am pleased to tell him that my stand on highway safety, before this Body, began when he was a boy of about seven or eight, or perhaps nine or ten years old—since the year of 1931. With all of the people in official positions in Pennsylvania working, they have been able to bring down the record, as he could very easily ascertain if he wished to do so, from 18.3 when the first records were maintained in 1929 until today when we enjoy, according to this National Safety Councils report which has just been published, a rating of 4.3. That is a tremendous accomplishment, and it stands as a record; a commendable record on behalf of all of the Members of the Legislature over these years and, particularly, those in administration who have worked so hard to bring it down. Certainly we should all join hands.

I say to the Senator, personally,—even though it is not my privilege, as I understand the rules of this Body, to address him personally—that I will continue to do that. I will continue to fight for the things which I believe bring more safety to our highways in Pennsylvania. It is a most commendable project and one in which we should all join hands, and we have joined hands. We have great accomplishments to point to because of the highway safety efforts of those in years gone by.

We will never reach the millennium. No one can expect

to do that. As long as we have almost 70,000,000 moving buses, automobiles and trucks on the road, there are going to be some accidents and some fatalities. Our great effort is to bring that number down to the lowest possible point, and it is a fact that we enjoy today great safety on our highways. Ten thousand people were killed on the farms of America last year. As long as we enjoy this fine record whereby we can ride in an automobile in Pennsylvania and in many other States as safely as we can spend the time in our homes, it is a most commendable achievement.

Mr. WEINER. Mr. President, the reason I did not ask the gentleman these questions directly, which I could have done, is, as I stated earlier, because if he did not want to answer them, he did not have to or if he wanted to reserve his answer until a later date, that would have been perfectly all right with me.

There is only one thing I want to ask him and if he does not want to answer this question now, he does not have to do so. If radar will save a single life and will bring down the 4.3 that Senator Wade seems so happy with to 3.3, does the Senator feel that we are justified in having radar in this State?

The PRESIDENT. Senator Wade, would you like to answer that last question?

Mr. WADE. Mr. President, very briefly, may I say that our record—I repeat, our record in Pennsylvania—is lower than the States that have adopted radar. Virginia, as I said on the floor last week, for some unknown reason, the year after they adopted radar, their fatality rate went up almost one full point. There is no evidence anywhere in the United States of America or in any State that radar brings down the fatality rate by even a single tenth of a point. There is absolutely no evidence.

I defy the gentleman to submit to this Senate any evidence where the fatality rate dropped beyond that of bordering States or other States that did not have radar. I also defy Mr. Shipley to furnish that information. Two years ago he sat along the sidelines of our Senate, and waited and hoped in the last few days that we would call a quick meeting and without study and consideration bring out the radar bill, and there is proper evidence on our record that he was selling radar but a very short time before then. There is no evidence to show that the adoption of radar—

Mr. WEINER. Mr. President—

The PRESIDENT. Senator Weiner, Senator Wade is not finished. Will you wait just a minute?

Mr. WEINER. I am calling a point of order, Mr. President.

The PRESIDENT. I would think that the point of order is not well taken, in the middle of the gentleman's remarks. I would prefer if you would wait.

Mr. WADE. Thank you very much, Mr. President.

I have practically completed my statement. I again defy the gentleman to furnish this Body with any evidence whatever that the adoption of radar or the legalization of radar would help our safety record.

The PRESIDENT. Thank you, Senator Wade.

Mr. WEINER. Mr. President, what Senator Wade has just engaged in is what is known to lawyers as a very irresistible impulse. I thought he was going to get through with his remarks without mentioning Mr. Shipley, but he just could not make it.



I would like to suggest to Senator Wade, while we are talking about percentages here, that we interpret them in terms of numbers. There were 1,654 persons killed on our highways in 1958 and 86,000 people injured. If Senator Wade can tell me that radar would not have saved a single life or would not have prevented an injury to one of the 86,000 people injured so that the victim may not have been maimed and unable to work for the rest of his life, I would be very happy to agree with the Senator's remarks. To just talk about this in a void, without any kind of statistics to back you up or without any kind of expert advice, I think, is a mistake and we would be erring on the side of injured people.

At the time I raised the point of order, this was because there has been no evidence that Mr. Shipley has done anything for which we can condemn him here. I think it is wrong for us to use the privilege of this floor to hurt anyone or take up personalities. That has been done on other occasions I suggest to Senator Wade that if he has some problem with Mr. Shipley, that he invite him to one of his committee meetings and take it up with him at that time. Perhaps all of us should be present when he is given this opportunity. Perhaps this will end the problem of Mr. Shipley for all time in this Session.

Mr. EHRGOOD. Mr. President, I am only rising to object to my being shifted around from one Senator to another Senator. After all, I am pretty high-priced legal talent and they can shift me as much as they want as long as they pay. It is about time Senator Wade and Senator Weiner get out the green stuff.

The PRESIDENT. I am sure the Senator would not be adverse to accepting a few extra clients.

Mr. MAHADY. Mr. President, I would be remiss if I left the record go uncorrected. The fact that we voted and talked on Senate Bill No. 472 and Senate Bill No. 473—

The PRESIDENT. Senator Mahady, are you bringing up an additional subject?

Mr. MAHADY. Mr. President, it was one of the many and multiple subjects brought up by Senator Wade.

The PRESIDENT. Now, if you are going to speak on another subject, then I shall have to recognize Senator Fleming, unless he wishes to yield to you.

Mr. MAHADY. I think, Mr. President, that I am speaking on the first subject that Senator Wade talked about and, as a point of Personal Privilege, I think I should be able to straighten the record because he misrepresented what we stood for yesterday.

The PRESIDENT. Will you yield, Senator Fleming?

Mr. FLEMING. I yield, Mr. President.

The PRESIDENT. Senator Mahady, you have the floor.

Mr. MAHADY. Mr. President, the statement made was that we objected to the money of poor people being invested by the banks. We did not object to the bankers being the custodians of the funds, but we objected to them co-mingling the various funds in their hands, particularly since they were invested in stocks where the record of ownership was only in the brokers' office and by a mere bookkeeping entry, they could trade from one to the other.

We pointed out that this was prohibited when the stench from the closed banks in the early Thirties showed that mortgages, of which there is a more permanent record, were switched, one from the other. We were try-

ing to protect the people whom he said we refused to protect. We were not trying to protect the bankers. We were trying to protect the ordinary individual, the man on the street, if you want to put it that way, and I think the record should so show.

The PRESIDENT. Are we still on the same subject?

Mr. McMENAMIN. Mr. President, in this welter of irrelevancies, my distinguished colleague from Philadelphia stated certain conclusions concerning insurance companies, with which I am in total disagreement.

The PRESIDENT. Thank you. I feel relieved.

Mr. SEYLER. Mr. President, still replying to the remarks of Senator Wade, the Senator gave a glowing account of the constant progress of the Commonwealth in matters of highway safety and, particularly, within recent years during the tenure of Mr. Shipley. I do not know whether he intended this as a compliment to Mr. Shipley's work, but on behalf of Mr. Shipley, I wish to thank the Senator for that compliment, whether he intended it or not.

Mr. DiSILVESTRO. Mr. President—

The PRESIDENT. Will Senator Wade yield?

Mr. WADE. I would be very glad, indeed, to yield to Senator DiSilvestro.

The PRESIDENT. Senator Wade has graciously yielded to you, Senator DiSilvestro.

Mr. DiSILVESTRO. Mr. President, I do not like to hammer Mr. Shipley. However, Senator Wade had the opportunity, but he used technicalities at the meeting. I exposed this man's hypertension and everything else, which a man in his position should lack, because he would come to a better conclusion if he could decide cases this way and that way.

I do not know why Senator Wade is kicking. He had the greatest chance of his life about two weeks ago.

Mr. WADE. Mr. President, I think this matter has been fully explored and exploited. However, I certainly would be unfair if I were to discredit Mr. Shipley entirely. Certainly, he has had his part in the entire picture and he deserves some credit. I do not believe that he is the best possible man for the job, but I have nobody else to suggest.

The PRESIDENT. I suppose you will admit that it is an unenviable job.

Now, I think it is probably safe for me to recognize Senator Fleming. Or, are you yielding again, Senator Fleming?

Mr. FLEMING. Mr. President, I would like to talk for a very brief moment and I, particularly, would like to have the Minority Leader, who is the Administration's spokesman, listen to what I have to say.

I have heard several other Members of the Senate complain about this same thing. I had it occur to me in the last couple of days. I had occasion to ask a department head for certain information which was submitted to me. However, before I received a letter in reply, a copy of the letter to me was released to the newspapers, probably in an overzealousness to have the department's viewpoint before the people. I certainly feel, Mr. President, that any Member of the Senate of Pennsylvania or any Member of the House of Representatives in the Commonwealth of Pennsylvania has a right, if they have directed an inquiry to any department head, to have the courtesy extended to that Member of having the letter

reach him first, before a copy of that letter is released to the press or for public information.

In my particular instance, Mr. President, I was writing on behalf of the Republican Caucus to this department head. I was astounded last evening when I found that copies of that letter had been distributed to outsiders before the letter was delivered to me.

My request to Senator Weiner would be to take this matter up with the Administration, because I am sure that the Governor would not approve of this. I think if it were brought to his attention and a word of caution given to the department heads, they, in all fairness, would see that the Member of either the House or the Senate, who has directed an inquiry to any department head, receives that answer, at least prior to the time that the answer from the department is released in some form of a press release.

Mr. WEINER. Mr. President, I would like to say to the gentleman that his point is well taken and I happen to agree with him. I know the person about whom he is speaking and, in order to protect the guilty, we will not mention any names. However, I will take the matter up with that party, as well as with some of the other department heads. I will also look into this problem with some of the persons who happen to make up the Governor's official family, in order to see that this does not occur again.

I think unless a matter is a matter of public controversy, where there are letters released to the newspapers and where the battle lines are drawn in the newspapers, I believe this matter should be private, unless one of the parties thereto makes it an unprivate matter.

Mr. LANE. Mr. President, speaking on this highway safety problem, I have talked with quite a number of the Members of the House and Senate in regard to this particular phase. I feel that, psychologically, it would be a wonderful thing if the Pennsylvania State Police had each and every one of their vehicles painted white, with large signs, signifying that they are State Policemen.

It seems to me that when traveling on the highways of Pennsylvania,—and, incidentally, I now drive about 500 miles per week—if the Highway Patrolmen were out on the roads in white cars and easily distinguishable, the people of Pennsylvania would know just what is going on. I believe it would be a deterrent to fast driving.

I agree with everything that has been said here. I think this thing, as far as radar is concerned, probably might work out. I do not know. I have to be convinced. However, let us use what we now have. Let us have the State Police cars painted white.

I know, for a fact, that when I go through a town and I see a local policeman with a white car, I always check my speedometer to make sure that I am not exceeding the speed limit. I have noticed, too, when driving out of the Commonwealth, where these cars are plainly marked, that the people slow up. I believe that is the thing which we are trying to accomplish. I am proud of our highway safety record. I think this bill regarding radar is superfluous at this particular time. Let us use what we have today.

If it is agreeable with the Membership, I would like to see someone draw up a resolution, requesting that the State Police have their cars painted white. In that way, I believe it would slow up the traffic in Pennsylvania.

Mr. WADE. Mr. President, may I say to you, and to the Members of this Body, that I wholeheartedly agree with Senator Lane? I will be glad to have the bill drawn and I will co-sponsor it with Senator Lane. Let me also inform the Body that there is such a bill, sponsored by Representative Gramlich, of Venango County, in the House. Apparently, it has not moved from committee.

#### BILL SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

House Bill No. 2127, Printer's No. 949.

#### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, August 3, 1959, at 2:00 o'clock p. m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 2:09 o'clock, p. m., Eastern Standard Time, until Monday, August 3, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

TUESDAY, JULY 28, 1959.

The House met at 11:00 a.m. Eastern Standard Time.  
The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

Reverend Roland W. Renkel, guest Chaplain and Pastor of the First Evangelical Lutheran Church of Chambersburg, guest of the gentleman from Franklin, Mr. Horst, offered the following prayer:

O Lord, our Lord, how excellent is Thy name in all the earth. Thy way is the way of holiness and righteousness. Thou hast crowned man with glory and honor and made him a steward of all Thy creation. The soul of man is Thy candle and his purpose is to glorify his Maker.

Stop us, O God, for a moment of communion with Thee. Preside over this Assembly. Help us to live up to the nobility of our creation. Enlighten, sustain and guide us to walk in the counsel of the godly and righteous, and to sit or deliberate with men of honest and good report. Lead us to delight in Thy law and to pursue a sincere study of it as we consider and legislate the laws of the Commonwealth.

Give us courage to work for the right and to oppose the wrong; to legislate laws beneficial to the many and not to the favor-seeking few; to be honest, honorable and holy in all our dealings; to prefer the crown of righteousness from Thy hands to the earthly crowns of position, power and kingdoms.

Purify our hearts of all selfish interests, our minds of evil thoughts, and our souls of earthly claims. Grant that the righteousness of this Assembly may exalt our Great Commonwealth.

In Jesus' name we ask it. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, July 27, 1959 will be postponed until printed.

The Chair hears none.

## PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. WARGO asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

## RESOLUTION

## RECALLING HOUSE BILL No. 1517 FROM THE GOVERNOR

Mr. BOIES offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 22, 1959.

Resolved (if the Senate concur), that House Bill No. 1517, Printer's No. 928, entitled "An act amending the act of May 3, 1933 (P. L. 242) entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the

occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties' changing from annual to biennial registration and increasing registration fees," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS INTRODUCED AND REFERRED

By Mrs. REIBMAN, Messrs. NELSON, STIMMEL and HELM. HOUSE BILL No. 2255.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the maximum compensation of vocational extension teachers and supervisors for the purpose of computing reimbursement.

Referred to the Committee on Education.

By Messrs. LOPRESTI, BOWMAN, McCANN and A. W. JOHNSON. HOUSE BILL No. 2256.

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Referred to the Committee on State Government.

By Messrs. LOPRESTI, BOWMAN, McCANN, and A. W. JOHNSON. HOUSE BILL No. 2257.

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Referred to the Committee on State Government.

By Messrs. LOPRESTI, BOWMAN, McCANN, and A. W. JOHNSON. HOUSE BILL No. 2258.

An Act amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Referred to the Committee on State Government.

By Messrs. PETROSKY, SCHWARTZ, TOMPKINS and H. P. MURRAY. HOUSE BILL No. 2259.

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year; and providing for registration fees.

Referred to the Committee on State Government.

By Mr. NELSON. HOUSE BILL No. 2260.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), providing for levying assessment and collection of taxes by certain independent school districts.

Referred to the Committee on Education.

By Mr. NELSON. HOUSE BILL No. 2261.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the

levying and collection of taxes by certain independent school districts.

Referred to the Committee on Education.

By Messrs. ASHTON, UJOBAL and  
POLEN. HOUSE BILL No. 2262.

An Act making an appropriation to the Department of Public Welfare for the purchase of such apparatus and equipment as may be deemed necessary by the Board of Trustees of the Embreeville State Hospital in Chester County, for the operation and maintenance of such hospital.

Referred to the Committee on Appropriations.

By Messrs. ASHTON, UJOBAL and  
POLEN. HOUSE BILL No. 2263.

An Act making an appropriation to the State Treasurer of the Commonwealth of Pennsylvania for maintenance and operation of the Embreeville State Hospital in Chester County, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifty-nine.

Referred to the Committee on Appropriations.

By Messrs. MUSTO, REIDENBACH, MEHOLCHICK,  
JUMP and GIBB. HOUSE BILL No. 2264.

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, MEHOLCHICK,  
GIBB and JUMP. HOUSE BILL No. 2265.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), creating and imposing duties on mine safety committees.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, GIBB,  
MEHOLCHICK and JUMP. HOUSE BILL No. 2266.

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, GIBB,  
MEHOLCHICK and JUMP. HOUSE BILL No. 2267.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mine and Mineral Industries.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, GIBB,  
MEHOLCHICK and JUMP. HOUSE BILL No. 2268.

An Act prohibiting mining in certain areas without prior

approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, MEHOLCHICK, JUMP,  
GIBB and REIDENBACH. HOUSE BILL No. 2269.

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, MEHOLCHICK,  
JUMP and GIBB. HOUSE BILL No. 2270.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), regulating the marking of the means of ingress and egress in mines.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, MEHOLCHICK,  
JUMP and GIBB. HOUSE BILL No. 2271.

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. SCARCELLI and P. G. MURRAY.  
(By Request). HOUSE BILL No. 2272.

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), changing the permitted length of certain vehicles used in hauling machinery.

Referred to the Committee on Motor Vehicles.

By Mr. WHEELER. HOUSE BILL No. 2273.

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer, \* \*, and making other technical changes therein.

Referred to the Committee on Ways and Means.

By Messrs. TRUSIO, FRANK and  
MEHOLCHICK. HOUSE BILL No. 2274.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting the use of certain reports as the basis of a citation.

Referred to the Committee on Law and Order.

By Messrs. TRUSIO, FRANK and  
MEHOLCHICK. HOUSE BILL No. 2275.

An Act providing for a referendum in each municipality and township to determine the will of the electorate in regard to permitting licensed restaurants, hotels and bars to sell liquor and malt or brewed beverages from twelve o'clock midnight until two o'clock ante meridian and after one o'clock post meridian on Sundays.

Referred to the Committee on Rules.



## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MUSTO, MEHOLCHICK, JUMP, GIBB and REIDENBACH. (Concurrent) RESOLUTION No. 97.

In the House of Representatives, July 27, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining be revised and codified; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and non-metallic mining, and to prepare a revision and codification of such laws. In preparing the revision and codification the Joint State Government Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster, and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, representatives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study, together with its draft of a codification of the mining laws, to the next General Assembly.

Referred to the Committee on Rules.

By Messrs. BURNS and WHITTAKER.

RESOLUTION (Not Printed)

In the House of Representatives, July 22, 1959.

The Grand Lodge of the Benevolent and Protective Order of Elks, comprising more than eighteen hundred and sixty-five lodges, and including more than one and three-quarter million members throughout the United States, conduct yearly contests for the subordinate lodges presenting the best programs for Elks National Youth Day on May 1st and Flag Day Ceremonies on June 14th.

Lodge No. 173, Williamsport, Pennsylvania, attained national honors during May and June of this year in their Americanization program by winning second place in national competition with its May Day program and third place in national competition with its Flag Day program.

On May 1st, fifteen students were sent to the May Day program in Harrisburg, Pennsylvania, sponsored by the Pennsylvania Elks State Association, where they toured the Capitol, danced at the Farm Show Building, and heard prominent State officials at the Forum. Twenty-seven additional students placed in positions in all sections of the county and city governments and social agencies in the County of Lycoming and the City of Williamsport assumed the duties of their sponsors for the day. Sponsors and students were entertained at a dinner where John H. Bennett, Past State President, Pennsylvania Elks State Association, Renovo, Pennsylvania, was speaker. Concluding the day was a teen-age dance in the Elks auditorium for all senior high school students. All students participating in this program were chosen by school authorities from the nine area high schools in the territorial jurisdiction of Lodge No. 173, i. e. Williamsport, South Williamsport, Montoursville, Muncy, Canton, Hughesville, Montgomery, St. Marys and St. Joseph.

Two hundred fifty Boy Scouts distributed twenty-five thousand miniature flags purchased by the Williamsport Lodge and twenty-five thousand booklets on the proper display of the flag secured through the cooperation of the Armed Forces to every church service in Lycoming County, all county hospitals, Lysox View, and clubs in the City of Williamsport. Flag Day services were conducted in the Elks Auditorium with the assistance of the Elks-Repasz Band and the Elks Male Chorus and televised over Station WBRE and broadcast in its entirety by radio stations WRAK, WWPA, WMPT and WYLC on June 14th.

For the past three consecutive years, Williamsport Lodge has placed first, second and third in each May Day and Flag Day national competition, and last year received the

George Washington Medal of Honor from the Freedoms Foundation at Valley Forge, Pennsylvania, for that May Day program; therefore be it

Resolved, That the House of Representatives commend Williamsport Lodge No. 173 Benevolent and Protective Order of Elks for its patriotic endeavors and success in the Americanization program; and be it further

Resolved, That a copy of this resolution be sent to Williamsport Lodge No. 173, Williamsport, Pennsylvania.

Referred to the Committee on Rules.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 337, 523, 691, 747, 886, 1017, 1052, 1164, 1237, 1683 and 1688

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 337, Printer's No. 71, entitled "An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended 'Banking Code' by permitting banks and bank and trust companies to invest to a limited extent in the shares of small business investment companies."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 523, Printer's No. 247, entitled "An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended 'The Fourth to Eighth Class County Assessment Law' increasing the maximum daily compensation of assessors."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 691, Printer's No. 769, entitled "An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended 'An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day' providing for payment to organizations of American Gold Star Mothers."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 747, Printer's No. 770, entitled "An Act amending the act of May 28, 1937 (P. L. 955) entitled as amended 'Housing Authorities Law' removing certain filing and certification requirements before bonds are sold."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 886, Printer's No. 336, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two tracts of land consisting of 5.13 acres

more or less and 50.50 acres respectively situate in Madison Township, Perry County."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1017, Printer's No. 526, entitled "An Act amending the act of May 23, 1945 (P. L. 903) entitled 'An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities' authorizing a pension to widows of employes retired on pension or killed in the service and providing for an increase in contributions into the retirement fund if council elects to pay such a pension."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1052, Printer's No. 527, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' authorizing payments to widows of policemen, firemen and employes retired on pension or killed in the service and providing for an increase in contributions into the retirement fund if council elects to make such payments."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1164, Printer's No. 561, entitled "An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift on behalf of the Commonwealth real property of approximately one acre adjacent to the Hope Lodge property of the Commonwealth, providing for its control, management, supervision, restoration, improvement and maintenance and making it part of the Hope Lodge property."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1237, Printer's No. 511, entitled "An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended 'Banking Code' further regulating the pledge of assets and deposits."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1683, Printer's No. 660, entitled "An Act amending the act of April 1959 (Act No. 32) entitled 'The Vehicle Code' by qualifying the conditions under which peace officers shall remove wrecked vehicles and tractors from the highway."

DAVID L. LAWRENCE.

July 27, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1688, Printer's No. 665, entitled "An Act amending the act of April 29, 1959

(Act No. 32) entitled 'The Vehicle Code' by prohibiting the placing of dangling articles in or about a motor vehicle which may interfere with the vision of the driver."

DAVID L. LAWRENCE.

## REPORTS FROM COMMITTEE

Mrs. HENZEL from the Committee on Education, reported as amended, House Bill No. 133, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act, and other acts relating to the ownership, possession and use of vehicles and tractors," and changing the definition of the term "school zone" and provisions relating to certain traffic signs.

Mr. IRVIS from the Committee on Judiciary, reported as amended, House Bill No. 559, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing provisions and penalties with respect to unlawful acts concerning traffic and safety signs.

Mr. GAILEY from the Committee on Judiciary, reported as amended, House Bill No. 648, entitled:

An Act amending "The Divorce Law" approved May 2, 1929 (P. L. 1237) enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

Mr. GAILEY from the Committee on Judiciary, reported as amended, House Bill No. 649, entitled:

An Act amending "The Pennsylvania Civil Procedural Support Law" approved July 13, 1953 (P. L. 431) providing for the establishment of a Domestic Relations Division in each county and further defining the powers and duties of the Domestic Relations Division and probation officers.

Mrs. MARKLEY from the Committee of Welfare, reported as amended, House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof, \* \* \* operation and conduct thereof, by the Department of Welfare; \* \* \*," redefining "boarding houses for infants."

Mr. P. E. PERRY from the Committee on Railroads and Railways, reported as amended, House Bill No. 1255, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes, to provide the least number of men that may be employed on locomotive trains and to provide a penalty for the violation thereof, and the enforcement thereof by the Department of Labor and Industry.

Mr. CAPANO from the Committee on Welfare, reported as amended, House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers; conferring powers and imposing duties for the Department of Public Welfare.

Mr. KOVOLENKO from the Committee on Counties, reported as amended, House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.



Mr. WYND from the Committee on Counties, reported as amended, House Bill No. 1945, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending, revising, consolidating and changing the laws relating thereto," further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

Mr. GAILEY from the Committee on Law and Order, reported as committed, House Bill No. 168, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the use of vulgar or profane language in public places.

Mr. OGILVIE from the Committee on Cities—Third Class reported as committed, House Bill No. 309, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," changing the basis for pensions.

Mr. TRUSIO from the Committee on Cities—Third Class, reported as committed, House Bill No. 347, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing a method of computing the pensions of certain employees.

Mr. TRUSIO from the Committee on Cities—Third Class, reported as committed, House Bill No. 348, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the basis for pensions.

Mr. GIBB from the Committee on Law and Order, reported as committed, House Bill No. 748, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), making it a crime to sell or offer for sale certain home appliances without proper identification.

Mr. McCANDLESS from the Committee on Welfare, re-reported as amended, House Bill No. 900, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017), including neglected children within the powers and duties of the local authorities.

Mr. NEEDHAM from the Committee of Welfare, reported as committed, House Bill No. 992, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), redefining "aged persons" and "disabled persons," making eligible for assistance certain aged, disabled and other persons who are inmates of public institutions.

Mr. FRANK from the Committee on Welfare, reported as committed, House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; \* \* \* and prescribing penalties," redefining boarding houses for children.

Mr. McCORMACK from the Committee on Appropriations, re-reported as amended, House Bill No. 1336, entitled:

An Act providing for the issuing administration enforcement and termination of marketing agreements and orders on agricultural commodities providing for the creation and operation of the Pennsylvania Agricultural Marketing Commission imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of agreements and orders and providing for the imposition and collection of fees.

Mr. KOVOLENKO from the Committee on Counties, reported as committed, House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Society of the 28th Division A.E.F. Inc. to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect, prepare and file data concerning burial places of military, naval and other combat personnel with the county commissioners.

Mr. GAILEY from the Committee on Judiciary, reported as committed, House Bill No. 1554, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth, to prescribe rules and regulations for the conduct of any general business, either civil or criminal, by judges of any court of record; \*\*\*" authorizing the Supreme Court of Pennsylvania to make rules for the orphans' courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

Mr. ESHLEMAN from the Committee on Education, reported as committed, House Bill No. 1694, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction for elementary and secondary school buildings.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440) entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 1729, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

Mr. BONNER from the Committee on Labor Relations, reported as committed, House Bill No. 1877, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), requiring employers to furnish employees with instructions on their rights in the event of disability or death caused by occupational disease.



Mr. LIMPER from the Committee on Labor Relations, reported as committed, House Bill No. 1884, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 1940, entitled:

An Act amending the Act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" \* \* \*.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 1941, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards and commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain \* \* \*."

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 1955, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088) entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund \* \* \* providing for loans of money between the Motor License Fund and the General Fund under certain conditions.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House Bill No. 2070, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) authorizing the Department of Public Welfare to support and foster community clinics and agencies for the treatment of the mentally ill and defective.

Mr. ISAACS from the Committee on Municipal Corporations, reported as committed, House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306), entitled "An act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs, in the county of Cameron, and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.

Mr. P. E. PERRY from the Committee on Municipal Corporations, reported as committed, House Bill No. 2139, entitled:

An Act regulating and prescribing the working hours of police officers employed by any county, city, except cities of the second class and Philadelphia, borough, town or township having a regular police force of twenty or more police officers.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer

for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

Mr. MAHAN from the Committee on Counties, reported as committed, Senate Bill No. 68, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing the provisions relating to bond required in awarding contracts.

Mr. SULLIVAN from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

Mr. GELFAND from the Committee on Judiciary, reported as committed, Senate Bill No. 434, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982) entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record . . ." granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions.

Mr. PURSLEY from the Committee on Counties, reported as committed, Senate Bill No. 637, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the amount the commissioners may spend in contracts without written bids.

Mr. FETTEROLF from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 667, entitled:

An Act amending the act of January 14, 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein . . ." further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty in order that they may obtain such training.



Mr. HAMILTON from the Committee on Education, reported as committed, Senate Bill No. 811, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the membership of county board of school directors.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the use of vulgar or profane language in public places.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," changing the basis for pensions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 347, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing a method of computing the pensions of certain employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 348, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the basis for pensions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 748, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), making it a crime to sell or offer for sale certain home appliances without proper identification.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 992, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), redefining "aged persons" and "disabled persons;" making eligible for assist-

ance certain aged, disabled and other persons who are inmates of public institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; \* \* \* and prescribing penalties," refining boarding houses for children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Society of the 28th Division A.E.F. Inc. to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect, prepare and file data concerning burial places of military, naval and other combat personnel with the county commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1554, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth, to prescribe rules and regulations for the conduct of any general business, either civil or criminal, by judges of any court of record; \* \* \*" authorizing the Supreme Court of Pennsylvania to make rules for the orphans' courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1694, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction for elementary and secondary school buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1877, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1884, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306), entitled "An act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs, in the county of Cameron, and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2139, entitled:

An Act regulating and prescribing the working hours of police officers employed by any county, city, except cities of the second class and Philadelphia, borough, town or township having a regular police force of twenty or more police officers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An Act amending the act of June 21, 1937 (P. L. 1942) entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record . . ." granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the amount the commissioners may spend in contracts without written bids.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act amending the act of January 14, 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein . . ." further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty in order that they may obtain such training.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 811, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the membership of county board of school directors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## RESOLUTION

### FISHING LICENSES

Mr. McCANN asked and obtained unanimous consent to call up out of order House Resolution No. 95, on page 27 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 22, 1959.

Whereas angling in Pennsylvania is of vital interest to hundreds of thousands of men and women and children and affords a great source of pleasure and recreation throughout our Commonwealth and

Whereas during the past few years the sale of fishing licenses has declined alarmingly and has led to an unusual depreciation in the funds available for the continuation of this great sport and

Whereas both the sportsmen and the public are entitled to be heard and express themselves regarding the reasons for this unusual decline in the sale of fishing licenses therefore be it

Resolved, That the House of Representatives instruct the Committee on Fisheries of the House of Representatives to look thoroughly into this situation and hold open public hearings to permit all citizens to be heard in this matter and in order that the great sport of angling can continue to attract additional thousands of our citizens and be it further

Resolved, That the said Fisheries Committee may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into and to produce such books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before it and be it further

Resolved, That the committee shall make a report of its findings together with its recommendations for appropriate legislation to the House of Representatives as soon as possible during this session of the General Assembly.

Mr. AUKER. Mr. Speaker, I wish to be recorded as voting "no" on House Resolution No. 95.

Mr. GRAMLICH. Mr. Speaker, I wish to be recorded as voting "no" on House Resolution No. 95.

## DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I request a recess for the purpose of lunch and a Democratic caucus of this House until 2:00 p. m., Daylight Saving Time, at which time Senate Bill 405 will be a special order of business upon reconvening.

Mr. A. W. JOHNSON. Mr. Speaker, we on the Republican side would like to have lunch now for one-half hour and then caucus for possibly one hour. We have about 30 bills on third reading that we haven't caucused on,

and I have received various amendments that should be called to the attention of the caucus. I believe one hour will be plenty for our caucus, or a total of one hour and a half.

Mr. McCANN. Mr. Speaker, we will then take the first thirty minutes for a sandwich and the caucus will start promptly at five minutes after 1:00 p. m., Daylight Saving Time. I ask for a recess until 2:00 o'clock, Daylight Saving Time.

## RECESS

The SPEAKER. At the request of the respective Floor Leaders, the Chair declares a recess of one hour and a half, until 2:00 o'clock.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## RECONSIDERATION OF VOTE ON HOUSE BILL No. 1058

Mr. MAXWELL. Mr. Speaker, I move that the vote by which House Bill No. 1058, Printer's No. 763, entitled:

An Act relating to plumbing, providing for the regulation of persons engaged in plumbing, prescribing the powers and duties of the Department of Health and those of local governments with respect thereto.

was defeated on Final Passage, Monday, July 20, 1959, be reconsidered.

Mr. BOIES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

## BILL POSTPONED

Mr. MAXWELL. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

## REPORTS FROM COMMITTEE

Mr. TAYLOR from the Committee on Motor Vehicles, reported as amended, House Bill No. 1675, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), authorizing the erection of "yield right-of-way" signs, describing the duties of operators thereat, prohibiting the designation of 4-way stop and other multi-way stop intersections, and providing a penalty for the violation thereof.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as amended, House Bill No. 1732, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" defining "school bus", granting a credit for certain suspensions toward revocation penalties including motorcycles within the provisions, relating to reflectors and reflective materials, prohibiting amber lights on parked vehicles, providing for enforcement of equipment requirements, further defining the duty to stop in the event of an accident, further providing for the time in which to bring certain actions, further providing for certain appeals from orders or acts of the secretary and providing penalties.

Mr. SHERMAN from the Committee on Motor Vehicles, reported as amended, House Bill No. 1733, entitled:

An Act amending the Act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing, exempting certain vehicles from lighting requirements providing for the designation of inspection stations for trucks and truck tractors, permitting the private vehicle of the chief and assistant chief of police to be equipped with a siren, extending the time during which a red light must be placed at the end of a load, prohibiting parking in certain additional places, requiring operators to obey the directions of signs, extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

Mr. GELFAND from the Committee on Banking and Building and Loan Associations, reported as amended, House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further regulating the exercise of powers by the Department of Banking and boards thereof; \* \* \*.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, House Bill No. 1637, entitled:

An Act amending the "Magistrates' Fee Bill of Cities of the First Class" approved July 13, 1953 (P. L. 447), by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

Mr. RENWICK from the Committee on Motor Vehicles, reported as committed, House Bill No. 1937, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), excepting certain operators and owners from certain requirements as to security and suspension.

Mr. GUTHRIE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code," authorizing the operation of a vehicle having two others attached thereto in certain cases.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as committed, House Bill No. 2129, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), providing that all of certain fines shall be returned to the State.

Mr. LIGHT from the Committee on Counties, re-reported as committed, Senate Bill No. 148, entitled:

An Act amending the act of August 9, 1955, (P. L. 323) entitled "The County Code" changing the limitation on appropriations which may be made for agricultural extension work.

Mr. WELSH from the Committee on Law and Order, reported as committed, Senate Bill No. 968, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" authorizing the sale of newspapers on Sundays.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1637, entitled:

An Act amending the "Magistrates' Fee Bill of Cities of the First Class" approved July 13, 1953 (P. L. 447), by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1937, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), excepting certain operators and owners from certain requirements as to security and suspension.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code," authorizing the operation of a vehicle having two others attached thereto in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2129, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), providing that all of certain fines shall be returned to the State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 968, entitled:

An Act amending the act of June 24, 1939 (P. L. 872)



entitled "The Penal Code," authorizing the sale of newspapers on Sundays.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS INTRODUCED AND REFERRED

By Messrs. STEWART and McCORMACK.

HOUSE BILL No. 2276.

An Act creating the State Tax Appeal Board; defining its powers and duties; transferring to it certain powers and duties imposed upon the Board of Finance and Revenue and relating to certain taxes imposed by the Commonwealth.

Referred to the Committee on Ways and Means.

By Messrs. FRANK, FINEMAN, HOLLIDAY  
and DENNISON.

HOUSE BILL No. 2277.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code," repealing provisions for annual registration fees based on chassis weights, adding a schedule of fees for certain vehicles, repealing provisions for maximum gross weights based on chassis weights, changing penalties for violation of maximum gross weight provisions, and making editorial corrections.

Referred to the Committee on Motor Vehicles.

### RESOLUTION INTRODUCED AND REFERRED

By Messrs. GEORGE, ZIMMERMAN, PRICE  
and STONER.

(Concurrent) RESOLUTION No. 98.

In the House of Representatives, July 28, 1959.

The cost of Blue Cross Insurance has risen twenty-eight percent in the last six months and the number of days covered by the insurance has been cut from one hundred twenty to seventy-five.

This matter is of grave concern to residents of Pennsylvania, since it not only raises insurance costs but gives less insurance protection in the vitally important area of hospitalization; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate the costs of Blue Cross Hospitalization Insurance and the length of time for which protection is given by such insurance; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

### VISITORS WELCOMED

The SPEAKER. The Chair has been informed that there is present in the Hall of the House, Mr. Phan of Vietnam, Indo China. He has received his Ph.D. degree in economics and political science from the Paris School of Political Science. He is the guest of the gentleman from York, Mr. H. H. Perry.

### VISITOR WELCOMED

The SPEAKER. And since we are noting the presence of guests, the Chair incidentally notes the presence in the Hall of the House of his favorite niece, Mrs. Joseph Bailey, her husband and her interesting brood.

### FORMER MEMBER WELCOMED

The SPEAKER. We note the presence in the Hall of

the House of a very dear friend, a former Member of this House, a very astute parliamentarian and Legislator he was, none other than Wilbur Hamilton from Philadelphia.

### BILL ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 405 on page 3 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 405, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting certain business activities on Sunday.

The first section was read.

On the question,

Will the House agree to the section?

### MOTION TO POSTPONE

Mr. GELFAND. Mr. Speaker, I move that we pass over consideration of this bill.

On the question,

Will the House agree to the motion?

Mr. GELFAND. I have very, very cogent reasons for making this request and they are as follows:

When we had planned this special order of business last week, we had presupposed that we would have a three-day session this week and, inasmuch as we had presupposed a three-day session, we were prepared to spend long hours here for full consideration of many, many pieces of legislation which are on the third reading calendar.

The SPEAKER. The bill has been called up and the Chair is of the opinion that the motion should be to place it on the second reading postponed calendar.

Mr. GELFAND. I was trying to get the attention of the Chair before the bill was called up, but due to the noise in the House I was unable to do so.

Mr. McCANN. If the gentleman is making a motion to place Senate Bill 405 on the second reading postponed calendar, I rise to oppose the motion.

The SPEAKER. That was simply a suggestion from the Chair. The Chair referred to the gentleman from Philadelphia and the Majority Leader. The Chair will entertain any motion.

Mr. GELFAND. Mr. Speaker, I will make such a motion to place this bill, Senate Bill 405, on the second reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. On Senate Bill 405, the scheduled date for the amendments had been designated and agreed to without, of course, any knowledge of the situation which has occurred in the passing of one of our Members of this House.

Mr. Speaker, by postponing it, it is just another day in which the amendments be debated and, for that reason, since the date had been agreed to, I rise to oppose the motion to place the bill on the postponed calendar, and I ask that the Members support this position, and that we debate the amendments today.

Mr. GELFAND. Mr. Speaker, when we had agreed to this special order of business last week we did not fore-



see the circumstances which occurred this week and which would make it impossible for us to have a full day on Wednesday.

Although the bill should be debated at length and given ample consideration, the time is not now because we have a calendar, a third reading calendar, which consists of 156 third reading bills which are of great importance to the Commonwealth of Pennsylvania. If this Session of the Legislature was about to adjourn sine die I can see about the immediacy of debating the legislation before us, but inasmuch as it is highly probable that we will be here at least another month, I can see no need for the immediacy, especially in view of the fact that we now have a third reading calendar which consists of 156 bills.

We all know from the discussion that has gone on in our caucuses that there are a great many amendments to be presented to this bill, which are going to be debated at length and which will take up the whole afternoon.

I can see no reason why, for the sake of one piece of legislation, we should forego consideration of an amply full calendar which has legislation of great importance to this Commonwealth.

For those reasons and because we will have ample time to consider this bill in full, I think we should place this bill on the second reading postponed calendar and go on to other more important business.

Mr. STROUP. Mr. Speaker, I rise to oppose this motion.

Senate Bill 405 has been on the calendar for many, many weeks. It has been slated as a special order of business on several occasions and continued. Most everybody in this House, particularly in the caucus, has thoroughly considered the possibility of amendment. Majority Leader and the Minority Leader of this House have gotten together and set aside this particular time for consideration of these amendments. It is true that we have a heavy calendar but this is an important piece of legislation to all the citizens of the Commonwealth. The time has been earmarked for it and I can see no valid reason whatsoever presented by the gentleman from Philadelphia for the motion which he has presented to the House. I ask everybody to defeat this motion.

Mr. GELFAND. Mr. Speaker, I am fully apprized that we had set this up as a special order of business, but last week when we did set this up as a special order of business, I feel the whole House planned to attend the complete Session consisting of three days, and we expected to spend three full days in consideration of legislation which was important to this Commonwealth.

Due to the unfortunate circumstance of Representative Haudenschild's death, we are forced to dispense with tomorrow's Session. Inasmuch as it is important to the Commonwealth and to the legislation which we must consider for the benefit of our constituents and in view of the fact that we are not going to be here for a full day tomorrow to consider other worthy legislation, I can see no reason why we should spend one entire afternoon considering one single piece of legislation for the second reading calendar when we have a complete, full third reading calendar consisting of 156 important bills, at least.

For that reason I think it behooves all of us to vote in favor of the motion to put this on the second reading postponed calendar and consider it fully next week on Monday or Tuesday and vote either for or against it on

Wednesday. I cannot see why we should in haste just dispense with an entire calendar for the sake of handling one piece of legislation. For that reason I think it is important for us to place this bill on the second reading postponed calendar, and I call for a slow roll call.

Mr. McKEEVER. Mr. Speaker, this bill will not require the entire afternoon if no amendments are offered to water down and nullify the bill.

I heartily agree with my leader, Mr. McCann. Roll the bill today.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. GELFAND and FINEMAN and were as follows:

## YEAS—24

Arlene,	Fineman,	Jones, F. R.,	Petrosky,
Capitolo,	Floyd,	Jones, T. H. W.,	Polaski,
Cianfrani,	Garlock,	Leonard,	Renwick,
Dennis,	Gelfand,	Lutty,	Rudisill,
Ellberg,	Holt,	Monroe,	Schwartz,
Filo,	Irvls,	Perry, P. E.,	Stank,

## NAYS—169

Agnew,	Gallagher,	McDonald,	Scarcelli,
Anderson,	George,	McKeever,	Schaaf,
Ashton,	Gibb,	McLaughlin,	Seltzer,
Auker,	Goldstein,	Machmer,	Sherman,
Balthaser,	Goodrich,	Magee,	Shupnik,
Barton,	Gramlich,	Mahan,	Silverman,
Bell,	Hamilton,	Markley,	Snare,
Boies,	Heavey,	Maxwell,	Snider,
Bonner,	Heffner,	Meholchick,	Steckel,
Boris,	Helm,	Merry,	Stevens,
Bower,	Henzel,	Miller, B. Z.,	Stewart,
Bowman,	Hocker,	Miller, H. G.,	Stimmel,
Branca,	Holliday,	Mills,	Stoner,
Brenninger,	Horst,	Muldowney,	Strusser,
Breth,	Isaacs,	Mullen,	Stroup,
Brown,	Jenkins,	Munley,	Sullivan,
Buchanan,	Jim,	Murphy, A. J., Jr.,	Taylor,
Burns,	Johnson, A. W.,	Murphy, P. J.,	Tompkins,
Capano,	Johnson, R.,	Murray, H. P.,	Trusio,
Cioffi,	Jump,	Murray, P. G.,	Ujobal,
Clarke,	Kamyk,	Musto,	Varallo,
Comer,	Kee,	Naugle,	Verona,
Crossin,	Kelser,	Needham,	Wall,
Curwood,	Kernaghan,	Nelson,	Walsh,
Davis,	Kessler,	O'Dell,	Wargo,
Dengler,	Knecht,	O'Donnell, J. A.,	Weidner,
Dennison,	Kooker,	Odorisio,	Welsh,
Devlin,	Kornick,	Ogilvie,	Wescott,
Donahue,	Korns,	O'Neil,	Wheeler,
Donaldson,	Kovolenko,	Parlante,	Whittaker,
Dougherty,	Kubitsky,	Pashley,	Williams, A. D., Jr.,
Edwards,	Lamb,	Perry, H. H.,	Williams, E. S.,
Eshback,	Lee, A. M.,	Polen,	Willard,
Eshleman,	Lee, K. B.,	Prendergast,	Willaredt,
Ewing,	Light,	Price,	Wilt,
Fetterolf,	Limper,	Pursley,	Wood,
Flynn,	Lippincott,	Reibman,	Worley,
Foerster,	Lopresti,	Reidenbach,	Wynd,
Fox,	Luigard,	Rigby,	Yatron,
Frank,	McCandless,	Riley,	Yetter,
Frascella,	McCann,	Rovansek,	Zimmerman,
Fulmer,	McCormack,	Royer,	Andrews,
Galley,			Speaker

## VOT VOTING—15

Blair,	Guthrie,	Murray, J. J.,	Stone,
Cooper,	McInroy,	O'Donnell, J. P.,	Thompson,
Down,	Mihm,	Sakulsky,	Varnar,
Farabaugh,	Moran,	Schuster,	

So the question was determined in the negative and the motion was not agreed to.

Mr. FINEMAN. I believe Mr. Polaski was on his feet requesting recognition, and the Speaker did not recognize him.

The SPEAKER. No one addressed the Chair asking for



recognition, and the gentleman from Philadelphia will note that after having said "The first section will be read," and "Will the House agree to the section?" there was a very noticeable pause.

Mr. FINEMAN. Mr. Speaker, I was under the impression that Mr. Polaski was standing in front of his desk asking recognition of the Chair, and therefore I did not ask recognition. You can verify it by questioning the gentleman from Erie.

The SPEAKER. The Chair will confess that he was looking in the direction of the gentleman from Philadelphia, and was not looking in the direction of the gentleman from Erie, who could only have attracted the Chair's attention by addressing the Chair.

On the question recurring,

Will the House agree to the section?

Mr. Polaski offered the following amendment:

Amend Enacting Clause, page 1, second line of Enacting Clause by striking out "by."

Amend Sec. 1 (Sec. 699.10), page 2, line 2, by striking out "housewares."

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair would request the gentleman from Armstrong, Mr. Helm, and the gentleman from Cambria, Mr. Lopresti, to come to the rostrum as the Chair's advisors and assistants.

Undoubtedly a great many amendments will be offered and we want to be sure there are no conflicting amendments adopted, and so we are asking these two gentlemen as technicians to advise the Chair and see that we make no mistakes, and finally emerge with a bill that is coherent.

Mr. POLASKI. Mr. Speaker, the purpose of my amendments is to eliminate from the ban on Sunday selling the general merchandise category called "housewares."

If we were to run the gamut of all the merchandise produced in our Pennsylvania factories, I do not think there is a single category of merchandise which would be as all-inclusive and include so many thousands—in fact, hundreds of thousands—of items as the category of "housewares" which we are striving here to amend out of the bill.

Housewares can include a general category commonly referred in the grocery trade as grocers' sundries. Many of these items are sold not only by grocers, small grocers on a Sunday, but are also sold on Sunday by small neighborhood confectionery stores.

Included in this general category are many Sunday picnic items, such as picnic plates, paper plates, paper cups and paper napkins, sold by the corner drug store. This general category includes everything from can openers, potato peelers, measuring cups and measuring spoons to bread boxes and clothes hampers.

Mr. Speaker, in introducing this amendment it was not my idea nor my intent that these small neighborhood stores, namely grocery, confectionery and drug stores, should sell any of the larger items covered in this general category of housewares.

In striving to prepare an amendment which would be fair and which would attempt to exclude the larger items in this category, I found it very difficult to write any fair and equitable amendment. If we attempt to take out of this category and ban for sale on Sunday the larger

housewares on the dollar basis, we would not know where to begin or where to end. If we were to try to prepare amendments to subdivide the various categories on housewares on a yardstick basis, again we would not know where to begin nor where to end.

I was thinking for a time of introducing an amendment providing for the permission of sale on Sunday of small housewares, and excluding from this bill large housewares. But, it is difficult again to determine what you would call a small houseware and a large houseware. Yet, hundreds of thousands of small neighborhood merchants in the three categories which I here mentioned today, namely grocery, confectionery and drug store, sell many of these small items on a Sunday.

I have been told that I need not worry about my enforcement officer walking into a neighborhood store and examining whether any of these three small merchants are offering for sale any of the small items which I have quoted in the category of housewares. But we are banning the entire line of housewares in this bill, and any competitor can send an enforcement officer on a Sunday to another small grocery store, confectionery store or drug store and have him investigate the sale, or the offering for sale, of any one of a hundred thousand of these small items.

The small neighborhood store in America is going out of business. It is just a question of time. To my way of thinking, I would like to know just how much we should do in this House of Representatives to accelerate the process. These small merchants whom I have mentioned have begun opening on Sundays after the terrific multiplication of super markets and plazas. They are opening on a Sunday not because they like to open on a Sunday, but because they are trying to come up in the black at the end of the year. I feel if this general category of housewares is included in the bill, the only recourse for these small stores is to either go out of business or to place a blanket over any of these items which they find on their shelves.

I maintain that these small merchants already are having terrific difficulty in making out income tax returns, sales tax returns and excise tax returns. In fact you have to be a Harvard graduate today to carry on a small grocery, confectionery or drug store business just in the neighborhood. Why saddle the small merchants with these further stumbling blocks to his doing business?

I am well aware of the intent of this bill. I am conscious of the type of operation that is intended to be eliminated by this bill. I would like to sound a word of warning: Let us try honestly and sincerely to eliminate the type of operation which this bill is intended to eliminate. But let us not, in the process, remove the final vestige of private enterprise on the neighborhood corner.

Mr. Speaker, I ask for a slow roll call.

Mr. McCORMACK. Mr. Speaker, I rise to oppose the amendments of the gentleman from Erie, Mr. Polaski, at this time, and I do so not in the belief that this bill we have here on the calendar is something sacrosanct or something that is perfect.

We realize that a lot of hard work went into the classification of items spelled out in Senate Bill 405. There probably is some merit to these amendments which would include and exclude various items or various wares.

As I said, the amendment, although it has the best



intention of the sponsor, will serve to cut up this bill and to put it into such state that everybody will want to come in and amend it. It seems to me if we can pass this bill in its present form, we can at a later date amend the bill, after we hear the presentation of evidence that would militate against the enforcement of the particular item or items enumerated in this bill.

With respect to the small businessmen, we certainly have had a lot of communications from them, the small merchants. It appears to me, looking at this as factually as possible, the small merchants are overwhelmingly in favor of the bill as it now appears on the calendar. We have had a petition sent to us from the small merchants of Philadelphia, and I believe over 1,000 small merchants and businessmen have subscribed to this bill as it presently appears on the calendar.

With respect to discrimination in this bill, I say that discrimination is the essence of classification, and it is for the Legislature to decide which items should be included and which should not be included, so long as the inclusions and exclusions are reasonably based upon facts. There has been nothing to indicate that the bill as presently drafted violates the wishes and desires of the overwhelming majority of the merchants, the labor unions and the people in this Commonwealth.

Therefore, I ask that we vote against this amendment. I ask for a division, Mr. Speaker, to save the time of the House.

Mr. McKEEVER. Mr. Speaker, if we took out of the bill the words "household articles," the drug stores in Philadelphia would close. You have to fight your way to the drug department by going through parakeets, hardware store articles, monkey wrenches, and so forth.

I have in my hand a list of 1200 persons appealing to us to relieve them of the responsibility, to give them one day off per week.

Please vote these amendments down.

Mr. STROUP. Mr. Speaker, I shall be very brief. I rise in opposition to the amendments offered by the gentleman from Erie.

I think the gentleman has effectively defeated his own amendments when he specifies the entire width and breadth of the articles of housewares, so many of them there are. So many of our stores, not just the small stores, but the merchandise marts and the merchantile establishments, deal in housewares.

Housewares is a term in itself. The definition is so broad that it is all-inclusive. As a consequence, therefore, to delete from this bill the word "housewares" is to nullify the effect of the bill. Certainly you would have practically all our merchandise marts and mercantile establishments open in order to sell housewares.

If you sell housewares only, then indeed you face the proposition of enforcement. You would need to have people there practically constantly in order to determine whether or not they are selling housewares or selling something else.

Furthermore, he pleads, the gentleman from Erie, for the small merchant. Those gentlemen have spoken relative to the requests by the small merchant not only in Philadelphia but also throughout the Commonwealth for the passage of Senate Bill 405. I should like to substantiate the claims of the particular small merchants from the city of Philadelphia, and call attention to the fact

that of the 1200 there is a certification by the research group, Research, Incorporated, that every name on that list has been signed by those who are so certified and it is a bona fide list.

It seems to me that to delete the word "housewares" from Senate Bill 405 will do nothing more than defeat the full intent and purpose of this bill, and I ask the Members of the House to vote these amendments down.

Mr. POLASKI. Mr. Speaker, in answer to the gentleman from Bedford that by my arguing against housewares being in the bill, I am defeating my own purpose, the discount and the large Sunday operations are already going to be out of business by the other items which you have included in this bill.

You are including furniture, all household items which are electrified, tires, paint. You are already including every conceivable profitable category which would make it reasonable for them to operate on a Sunday. You are only leaving out housewares, and I am sure no discount house is going to open on Sunday simply to operate on large housewares.

In answer to the gentleman from Philadelphia concerning another matter, concerning all the retailers in this state, they having spoken in favor of this bill. I am in possession of a letter signed by Mr. Al Vicks, secretary of the Home Owner Food Stores in Pennsylvania, 25,000 strong, that they want this housewares amendment in the bill, want this exclusion in the bill to protect the small grocers.

Mr. Speaker, I again maintain and I again plead with this House. You can be charged \$100 for selling a can opener on Sunday in a corner store. This is a serious matter, and I am again repeating my request for a slow roll call.

Mr. FINEMAN. Mr. Speaker, I want to make a brief reply to a comment that was made by an earlier speaker concerning reasonable classification.

It was his thinking that this bill does set up a basis of reasonable classification. I wonder by what stretch of the imagination the exclusion of novelties and souvenirs in this bill can be labeled a reasonable classification. What is so holy about a novelty as distinguished from a toy that makes it merit the place of exception that it has in this bill? This bill will yield the incongruous result of permitting a druggist, as an example, to sell to me on a Sunday a pair of dark sun glasses, but if I were to purchase from that druggist, that same druggist, a clock that sat on his counter he would be subjecting himself to a \$100 fine.

What is so reasonable about a classification that distinguishes between a toy and a novelty. What is a toy, and what is a novelty? Does the merchant have to be a soothsayer, some kind of sage to be able to tell the Legislature what the Legislature itself doesn't know, which toys he can sell because they are toys and what he cannot sell because they are novelties. By no stretch of the imagination can the classification in this bill be termed a reasonable classification.

I ask the Members of the House to support these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. POLASKI and FINEMAN, and were as follows:



## YEAS—58

Arlene,	Gelfand,	Murphy, P. J.,	Scarcelli,
Boles,	Goldstein	Needham,	Schaaf,
Breth,	Goodrich,	Odorisio,	Schwartz,
Burns,	Holt,	O'Neill,	Shupnik,
Capitolo,	Irviss,	Perry, P. E.,	Silverman,
Cianfrani,	Isaacs,	Petrosky,	Stank,
Cioffi,	Jones, F. R.,	Polaski,	Sullivan,
Crossin,	Lee, K. B.,	Polen,	Taylor,
Dennis,	Lippincott,	Prendergast,	Verona,
Ellberg,	McDonald,	Reibman,	Wargo,
Filo,	Maxwell,	Reidenbach,	Whittaker,
Fineman,	Mills,	Renwick,	Worley,
Floyd,	Monroe,	Rudisill,	Wynd,
Galley,	Munley,	Sakulsky,	Yetter,
Garlock,	Murphy, A. J., Jr.		

## NAYS—135

Agnew,	Frank,	Lee, A. M.,	Price,
Anderson,	Frascella,	Leonard,	Pursley,
Ashton,	Fulmer,	Light,	Rigby,
Auker,	Gallagher,	Limper,	Riley,
Balthaser,	George,	Lopresti,	Rovansek,
Barton,	Gibb,	Lulgard,	Royer,
Bell,	Gramlich,	Lutty,	Seltzer,
Bonner,	Guthrie,	McCandless,	Sherman,
Boris,	Hamilton,	McCann,	Snare,
Bower,	Heavey,	McCormack,	Snider,
Bowman,	Heffner,	McKeever,	Steckel,
Branca,	Helm,	McLaughlin,	Stewart,
Brenninger,	Henzel,	Machmer,	Stimmel,
Brown,	Hocker,	Magee,	Stoner,
Buchanan,	Holliday,	Mahan,	Strausser,
Capano,	Horst,	Markley,	Stroup,
Clarke,	Jenkins,	Mehoichick,	Tompkins,
Comer,	Jim,	Merry,	Trusio,
Curwood,	Johnson, A. W.,	Miller, B. Z.,	Ujober,
Davis,	Johnson, R.,	Miller, H. G.,	Wall,
Dengler,	Jones, T. H. W.,	Muldowney,	Walsh,
Dennison,	Jump,	Mullen,	Waldner,
Devlin,	Kamyk,	Murray, H. P.,	Welsh,
Donahue,	Kee,	Murray, J. J.,	Wescott,
Donaldson,	Keiser,	Murray, P. G.,	Wheeler,
Dougherty,	Kernaghan,	Musto,	Williams, A. D., Jr.,
Edwards,	Kessler,	Naugle,	Williams, E. S.,
Eshback,	Knecht,	Nelson,	Willard,
Eshleman,	Kooker,	O'Dell,	Willaredt,
Ewing,	Kornick,	O'Donnell, J. A.,	Wilt,
Fetterolf,	Korns,	Ogilvie,	Wood,
Flynn,	Kovolenko,	Parlante,	Yatron,
Foerster,	Kubitsky,	Pashley,	Andrews,
Fox,	Lamb,	Perry, H. H.,	Speaker

## NOT VOTING—15

Blair,	McInroy,	Schuster,	Varallo,
Cooper,	Mihm,	Stevens,	Varner,
Down,	Moran,	Stone,	Zimmerman,
Farabaugh,	O'Donnell, J. P.	Thompson,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, we have been at this now for about an hour and a half, I think, and I know roughly ten or twelve amendments to be offered, none of which infringe on the other. They are all separate and distinct. They do various things as far as 405 is concerned. Some of them are restrictive amendments to make this bill much more logical than it is now. Some of them are a similar type of amendment that we just consider deleting certain other items from this Senate Bill 405.

I think and I am naive enough to feel that amendments that are offered in good faith should be given mature consideration. I don't believe that a number of amendments such as I am speaking of at the moment can be adequately considered on the floor of this House. I do not think that time allots itself properly and it is for that reason and further reason, the question of constitution-

ality of this particular bill, which I intend to raise a little later, if necessary, also the question of the infringement of this bill upon society in Pennsylvania. I therefore, believe that this should be recommitted to a standing committee of the House where it can receive bi-partisan consideration maturely of each and every amendment to be offered here.

I do not think there is any haste as far as this bill is concerned and I think that any number of committees could receive this bill and give it such consideration—the Judiciary Committee, the State Government Committee, Law and Order.

I, therefore, move at this time, in order to save the time of the House that the bill be recommitted to the Committee on Law and Order. I ask for a slow roll call on the motion.

On the question,

Will the House agree to the motion?

## POINT OF ORDER

Mr. McCORMACK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. McCORMACK. Mr. Speaker, a motion to recommit the bill has already been made and defeated. It is not in order for this House to again move to recommit the bill.

Mr. Speaker, I am sorry. I misunderstood the gentleman. I understood it was to recommit and place it on the postponed calendar. There has already been a motion to place it on the postponed calendar and, therefore, the point of order I submit is out of order.

The SPEAKER. The Chair reminds the gentleman from Philadelphia that there is a difference between a motion to place on the postponed calendar and a motion to recommit. No motion to recommit has been brought before the House.

The Chair, therefore, cannot agree with the gentleman from Philadelphia and the motion to recommit if made and properly seconded is in order.

On the question,

Will the House agree to the motion?

Mr. STROUP. Mr. Speaker and Members of the House, the reasons assigned by the distinguished gentleman from Philadelphia to recommit Senate Bill No. 405 should be considered very carefully by each of us.

In the first place he gave his reasons that there are numerous amendments which will be placed before the House this afternoon, and he further states that those amendments cannot receive careful consideration by the House as it is presently constituted in session.

I take issue with that position. There is no better place to consider the amendments to this bill than by the entire group that sits here in session to determine in debate the validity and the worthwhileness of those amendments as they effect Senate Bill 405.

He further says that he intends to raise questions later on if we continue in session considering Senate Bill 405 and do not recommit. The questions that he raised and which he may raise relative to the constitutionality are important and certainly should be considered by the entire House and not just by a Committee.

I, therefore, oppose the motion to recommit. We are in session designated to consider the amendments. Those



amendments should be considered at this time and as many as possibly can, in their conscience to vote against this design to destroy Senate Bill 405.

Mr. SCHWARTZ. Mr. Speaker, the previous speaker was going along pretty well until he hit the end of his peroration and said something about a design to kill Senate Bill 405.

I want to state that I do not care to what committee the bill is sent. I am really sincere in my opinion that ten or twelve amendments of the kind that are to be offered should be received and considered by a committee. In fact, I may move here a little later that we resolve ourselves into a Committee of the Whole for that purpose.

I say that I do not want to kill Senate Bill 405. I am perfectly satisfied to state here that whatever such a committee would do with these amendments with the question of constitutionality will be perfectly satisfactory to me.

Mr. FINEMAN. Mr. Speaker, I rise to support the motion.

The true working arm of both Houses of this General Assembly are its committees. All of the groundwork and all the laborious detail is done at committee level and not on the floor of the House. It is the function of our committee to carefully review the bills that have been referred to that committee for the purpose of determining whether or not they merit the consideration and attention of the entire House.

I do not think anyone can take issue with the fact that if this House were to abolish its committees and refer to the House as a whole all of these two thousand and some pieces of legislation that have been introduced in the House this Session, we would indeed never finish our work here in Harrisburg.

The Committee is the proper place to consider the dozen or fifteen or sixteen amendments that are proposed, each of which is going to require a slow roll call, and I rise in support of this motion.

Mr. McKEEVER. Mr. Speaker, I think this is a dilatory tactic utilized by the opposition. We have had many bills before just as important as this bill is without having to send it back to Committee.

As to the unconstitutionality, I believe that word was mentioned here by one of the previous speakers. I have not heard anyone get up and read any notification from the Attorney General's office that this legislation is unconstitutional. I have inquired diligently from those who have that knowledge and they stated it is not unconstitutional.

These gentlemen getting up opposing and trying to recommit, trying to place it back in Committee again, they are only stalling, because in this House today, as you must admit, you can hear a pin drop when the Speaker speaks. We will never have a better opportunity than we have at this moment. I oppose that motion.

Mr. GOLDSTEIN. Mr. Speaker, I speak in favor of the motion.

I am not a believer in dilatory tactics and I will meet the issue head on. The reason I speak in favor of the motion is this: I believe that this particular bill, a bill of vast import and tremendous possibilities on the economic life of this Commonwealth, should have been referred to a bipartisan committee consisting of Republicans and Democrats. This bill was referred for some unknown reason to the Committee on Rules in the sound discre-

tion of the proper party, but I believe it should have been examined by a committee of both Republicans and Democrats. I am in favor of the motion.

The SPEAKER. The Chair recognizes the Majority Leader. Would the Majority Leader yield to the gentleman from Philadelphia, Mr. Gelfand?

Mr. McCANN. I will, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, I rise also to speak in favor of the motion for recommitment of this bill.

As Representative Fineman has said before me, I reiterate his remarks. The standing committees of this House are well constructed to consider all types of legislation. That is why we have them. They have the flexibility of being able to appoint sub-committees to consider every ramification of every type of legislation that is introduced in the House.

We here today in the House have a multitude of amendments, every one of them of some import to the people who are presenting them. Each of these amendments could modify this bill, change the bill, either make it better or worse, and each one of them requires careful consideration.

I, too, attended the hearing of the Rules Committee when they heard people present their views with regard to this legislation. There was quite a considerable number of people at the hearing and there were many, many different views presented. As a matter of fact we had many, many people representing each source of our economics and industry in the Commonwealth. We had labor unions who presented viewpoints to that committee, on each side of the bill; some said the bill was bad for them; some of them said the bill was good for them. We had religious groups who attended that hearing; some of them said the bill had no religious impact; some of them said the bill did have a religious impact. We had eminent attorneys attend that committee hearing, some of whom said the bill was unconstitutional, some of whom thought the bill was constitutional. In any event, we had an ample amount of remarks concerning the legislation. We had people who signed petitions and these petitions should have received full consideration.

At the same time that these committee hearings were held I received comments from people in my own community. I know other Members of the Legislature received comments from their part of the community in which people have requested that they present amendments to this type of legislation.

The amendments to this legislation, as I indicated before, would change its complete structure and they should receive full and complete consideration. I know that we are here today supposedly on a special order of business in which we were to give consideration to the amendments to the bill, but so far we have heard two or three amendments. Only one or two speakers have spoken on each side of the amendment, and the consideration that was given was rather hasty, I believe. I know that if we were to give full consideration to each one of the amendments that will be presented this afternoon, not only will we be here the rest of this evening, but we could go on until tomorrow or possibly next week.

For this reason I support the motion to recommit this bill, so that the proper committee can set up possibly a sub-committee to consider fully and possibly hold a public hearing, since every type of amendment has been pre-



sented here or will be presented, and then come back with a reconstructed bill which would satisfy the needs of our Commonwealth. Then we could be proud to pass legislation that would serve a real purpose.

The SPEAKER. For the purpose of the record, the Chair desires to clarify it.

The bill originally was referred to the Rules Committee. The Rules Committee reported the bill placing it in the custody of the House.

The House wisely or unwisely by action taken by the House recommitted it. The Rules Committee did not recommit it. This House recommitted the bill which was in its possession. It could have been sent to any Committee of this House by proper motion, but upon proper motion the bill was recommitted to the Rules Committee for the purpose of the hearing. The hearing was held all in conformity with the action taken by the House.

Now the bill is again in the custody of the House. It can be sent to any committee, but as far as the action of the Rules Committee was concerned, as to the hearing, as to the position of the bill in the second instance, we had it by reason of a vote taken in this House to which at the time there were no objections. Anyone who objected to the recommitment to the Rules Committee could have risen in his place and opposed the motion.

Mr. McCORMACK. Mr. Speaker, I would like briefly to state my objections to this motion.

The SPEAKER. Will the gentleman from Greene yield to the gentleman from Philadelphia? He had the Floor.

Mr. McCANN. Mr. Speaker, I yield to the gentleman. I was wondering if you missed me.

The SPEAKER. The gentleman from Greene yields to the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, as a Philadelphia lawyer, I can certainly tell a dilatory motion, and I submit that this is certainly if not one, in the nature of one. I say that not without basis. This bill I believe was introduced in the Senate in March of this year—

The SPEAKER. Is the gentleman about to make a motion or raise a point of order?

Mr. McCORMACK. I am addressing myself to the motion, Mr. Speaker, that is now before this House.

The SPEAKER. The gentleman will proceed.

Mr. McCORMACK. The bill was passed on May 5 and referred by the Speaker to the Committee on Rules on May 11. Now if this is not a dilatory motion, Mr. Speaker, I would like to hear someone in this House get up and inform the House as to whether or not they had ever presented the amendments which are now being offered on the floor to the Rules Committee for the purpose of serious consideration at or before the time when the bill was reported out of that Committee.

There has been an abundance of opportunity to do so where the amendments which require serious consideration could have been submitted to that Committee, but I submit the desire was to wait until the bill came up on the calendar and to delay and delay and delay so that we could never—

The SPEAKER. For what purpose does the gentleman from Erie rise?

Mr. POLASKI. To answer the gentleman, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia has the floor.

Mr. POLASKI. Mr. Speaker, I object to the use of the word "dilatory."

The SPEAKER. The Chair will say that the Chair is not yet prepared to rule upon any points of order raised directly or indirectly regarding dilatory motions, and the gentleman from Philadelphia by inference raises a point of order which the Chair does not at this time desire to entertain.

Mr. McCORMACK. I would like to give the Speaker some factual information upon which he might decide to invoke Rule 52.

The SPEAKER. The Chair would not consider the factual information pertinent at this time.

Mr. McCORMACK. Very well, then, Mr. Speaker, I thank the gentleman for yielding, and I ask that when we vote on the motion we vote against it.

Mr. POLASKI. I would like to address a few remarks, Mr. Speaker, if I may.

The SPEAKER. The gentleman is in order.

Mr. POLASKI. Mr. Speaker, I have submitted a letter to the Governor with my amendments four or five weeks ago and received a fine reply from the Governor with respect to my amendments. He did not necessarily agree with them, but I submitted copies of my amendments to the leadership five weeks ago. Therefore, these are not dilatory tactics.

Mr. WELSH. Mr. Speaker, I just want to say for the record that labor, all of labor, is for this bill right now.

Mr. GOLDSTEIN. I am certain that the gentleman from Philadelphia, Mr. McCormack, has a keen insight, but I think he must have been looking to the east and not to the west in connection with the various details in this bill.

I cannot pinpoint the gentleman with whom I discussed my amendments before the bill was discharged from Committee. But, my position upon this bill has been well known. It was expressed during a hearing on before Rules, to which I was invited as an observer and unconsciously became a participant. I have in my records right now one of my amendments which reads June 12, 1959, which was before the bill was reported from the Rules committee. These tactics are not dilatory. I have stated my position in the House at all times.

The SPEAKER. The dilatory matter is not before the House.

Mr. GOLDSTEIN. It was raised by the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER. The Chair declined to recognize the issue, and the Chair would prefer that the question be not raised at this time.

Mr. GOLDSTEIN. Well, I will meet it by denying it.

Mr. McCANN. Mr. Speaker, I, of course, was glad to yield to any of the other Members. I just ask for a roll call and that we oppose the motion to recommit.

The yeas and nays were required by Messrs. SCHWARTZ and FINEMAN and were as follows:

#### YEAS—39

Arlene,	Floyd,	Maxwell,	Schaaf,
Boles,	Garlock,	Mills,	Schwartz,
Brown,	Gelfand,	Monroe,	Silverman,
Burns,	Goldstein,	Munley,	Stank,
Capitolo,	Goodrich,	Murphy, A. J., Jr.,	Verona,
Cianfrani,	Holt,	O'Neill,	Wargo,
Dennis,	Isaacs,	Perry, P. E.,	Whittaker,
Elberg,	Jones, F. R.,	Polaski,	Williams, E. S.,
Filo,	Lee, K. B.,	Prendergast,	Wynd,
Fineman,	Lippincott,	Scarcelli,	

## NAYS—157

Agnew,	Galley,	McCandless,	Riley,
Anderson,	Gallagher,	McCann,	Rovasek,
Ashton,	George,	McCormack,	Royer,
Auker,	Gibb,	McDonald,	Rudisill,
Balthaser,	Gramlich,	McKeever,	Sakulsky,
Barton,	Guthrie,	McLaughlin,	Sherman,
Bell,	Hamilton,	Machmer,	Shupnik,
Blair,	Heavy,	Magee,	Snare,
Bonner,	Heffner,	Mahan,	Snider,
Boris,	Helm,	Markley,	Steckel,
Bower,	Henzel,	Meholchick,	Stevens,
Bowman,	Hocker,	Merry,	Stewart,
Branca,	Holliday,	Miller, B. Z.,	Stimmel,
Brenninger,	Horst,	Miller, H. G.,	Stoner,
Breth,	Irvls,	Muldowney,	Strausser,
Buchanan,	Jenkins,	Mullen,	Stroup,
Capano,	Jim,	Murphy, P. J.,	Sullivan,
Cloffi,	Johnson, A. W.,	Murray, H. P.,	Taylor,
Clarke,	Johnson, R.,	Murray, J. J.,	Tompkins,
Comer,	Jones, T. H. W.,	Murray, P. G.,	Trusio,
Crossin,	Jump,	Musto,	Ujobal,
Curwood,	Kamyk,	Naugle,	Varallo,
Davis,	Kee,	Needham,	Varner,
Dengler,	Kelser,	Nelson,	Wall,
Dennison,	Kernaghan,	O'Dell,	Walsh,
Devlin,	Kessler,	O'Donnell, J. A.,	Weidner,
Donahue,	Knecht,	Odorisio,	Welsh,
Donaldson,	Kooker,	Ogilvie,	Wheeler,
Dougherty,	Kornick,	Parlante,	Williams, A.D., Jr.,
Edwards,	Korns,	Pashley,	Willard,
Eshback,	Kovolenko,	Perry, H. H.,	Willaredt,
Eshleman,	Kubitsky,	Petrosky,	Wilt,
Ewing,	Lamb,	Polen,	Wood,
Fetterolf,	Lee, A. M.,	Price,	Worley,
Flynn,	Leonard,	Pursley,	Yatron,
Foerster,	Light,	Reibman,	Yetter,
Fox,	Limper,	Reidenbach,	Zimmerman,
Frank,	Lopresti,	Renwick,	Andrews,
Frascella,	Luigard,	Rigby,	Speaker
Fulmer,	Lutty,		

## NOT VOTING—12

Cooper,	McInroy,	O'Donnell, J. P.,	Stone,
Down,	Mihm,	Schuster,	Thompson,
Farabaugh,	Moran,	Seltzer,	Wescott,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. GALLAGHER offered the following amendments:

Amend Bill, page 2, by inserting between lines 15 and 16: "Section 2. Section 699.4, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is repealed."

Amend Sec. 2, line 16, by striking out "2" and inserting: "3."

On the question,

Will the House agree to the amendments?

Mr. GALLAGHER. Mr. Speaker, I would like to discuss the amendments.

These amendments do not in any way harm Senate Bill 405, nor do they try to prevent anybody from voting for it. The amendments are designed to stop the unscrupulous tactics of a certain justice of the peace who unfortunately resides in my township, who not just recently but as far back as two or three years ago took advantage of section 699.4 and made himself a very nice fining mill.

In the township of Bristol in Bucks county there are located two farmers' markets to which this justice of the peace under the terms of section 699 went and issued conviction on view warrants, charging these people with worldly employment on Sundays. This year on Sunday, July 21st, 1959, the justice himself proceeded to these markets and proceeded to hand out these conviction notices to the people involved, this was before 405 was to be considered.

The district attorney in the county calls it a racket. I read in this morning's paper that the Attorney General is awaiting somebody's formal complaint to do something about these tactics.

If we pass 405 and leave this act 699.4 on the books we are going to subject the employes of steel mills, chemical plants, toll collectors on the turnpike, taxicab drivers and bus drivers to the whims and fancies of justices of the peace who want to make a fast buck. This fellow incidently made of \$1400 this past Sunday.

Ladies and gentlemen of the House, without delaying this any further, I ask you seriously to consider this problem as one that must be done in arriving at a solution on 405. We cannot pass 405 and leave this on the books and leave the door wide open to continue fining mills. We have said here many, many times we are opposed to such fining mills in our state, as far as traffic violations are concerned. Well this is a similar situation in the state, but it is a lot looser where the J.P. himself can go out and hand out conviction on view notices without the benefit of an appeal by the people involved and they must pay the fine of \$4 plus \$9 costs.

Mr. Speaker, ladies and gentlemen of the House, I ask you to vote for these amendments and I ask for a slow roll call.

Mr. T. H. W. JONES. Mr. Speaker, I had not originally intended to speak on this bill or the amendments to it today, but I rise to support Mr. Gallagher's amendments.

It seems to me that the great trouble with Senate Bill 405 is the fact that it simply adds one more very severe blue law to our existing blue laws. If I understand Mr. Gallagher's amendments correctly, they would not affect the substance of 405, but they would repeal our existing blue laws. That would take away the field day that the justice of the peace is now enjoying in Bucks county.

I might say that I have no objection to what the justice of the peace in Bucks county is doing, he is simply enforcing the laws that now exists, and I have frankly no fault to find with an officer of the law who tries to enforce the law. On the contrary, I rather condemn the attitude of the Attorney General who seems to feel that she should waive the power of the Commonwealth and the State Police in the direction of a small local official who is attempting to enforce the law as he sees it. I think the trouble is with the law and this bill that is now before us, Senate Bill 405, offers us a splendid opportunity to abolish the old law that dates from 1794, and to substitute something more modern, and I think that is the essence, the substance and the purport of Mr. Gallagher's amendments. Consequently, I would urge a vote in favor of those amendments.

Mr. GALLAGHER. Mr. Speaker.

The SPEAKER. The Chair recognize the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. I would like to withdraw my request for a slow roll call and ask for a division, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

A division was called for, fifty-six Members having voted in the affirmative and ninety-eight in the negative, the question was determined in the negative and the amendments were not agreed to.



Mr. GALLAGHER. Mr. Speaker, I withdraw my amendments to the title.

On the question recurring,

Will the House agree to the section?

#### POINT OF ORDER

Mr. SCHWARTZ. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SCHWARTZ. Mr. Speaker, at this time I would like to raise the question of the constitutionality of Senate Bill 405, as it presently appears before us on the calendar.

I believe the bill is unconstitutional. I am not a constitutional lawyer, but I have looked into this thing carefully and I want to bring to the attention of the House the fact that this bill deals only with retail selling. That is the only segment of our economy that it acts upon. The bill enumerates certain specific categories which cannot be sold on Sunday, and if they are sold—

The SPEAKER. Will the gentleman yield? Is he raising a constitutional point of order.

Mr. SCHWARTZ. Yes sir.

The SPEAKER. The gentleman from Philadelphia, Mr. Schwartz raises the point of order, that Senate Bill 405, Printer's No. 670, is unconstitutional.

The Speaker, under Rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does, and recognizes the gentleman from Philadelphia, Mr. Schwartz.

On the question,

Will the House sustain the constitutional point of order?

Mr. SCHWARTZ. Thank you, Mr. Speaker, and may I say that you are conducting this House beautifully. You are eminently fair and I think we are getting along with this bill.

The SPEAKER. The Chair thanks the gentleman.

Mr. SCHWARTZ. Mr. Speaker, I was at the point where I was going to bring to the attention of the House the fact that Senate Bill 405 lists certain specific categories which cannot be sold at retail, and if they are so sold at retail they are subject to a \$100 fine, \$200 for a second and subsequent offense, and imprisonment for the non-payment of the fine.

It then, therefore, eliminates from the bill various retail categories which I believe should have been included in this bill in order to make it constitutional. In other words, I do not think that this is a proper bill by specifically setting forth certain items and leaving out other items which fall into exactly the same category.

I will mention just a few of them that are not included in Senate Bill 405; Cosmetics, fire arms, sporting goods, farm equipment and implements, seed, feed, fertilizers, boats and marine engines, automobile accessories, fuel and lubricants contraceptives, real estate, cameras, projectors, photographic supplies, surgical instruments and supplies airplanes, mobile homes, trailers, books, newspapers, magazines, optical equipment, cigarette lighters, tobacco products, patent and proprietary medicines, and every conceivable item which by any stretch of the imagination could come under the heading of novelties and souvenirs.

So the first premise that I want to give to the House is that you do not have a reasonable classification here. The proponents of the bill, the sponsors of the bill, have taken certain itemized categories and these are the ones that they want prohibited from sale by this bill.

On the other hand, we come to the overall question of the constitutionality of the bill under the Constitution of the state of Pennsylvania and the Federal Constitution. I call to the attention of the House a decision on May 28, 1959, by the Commonwealth of Massachusetts. If I remember my political science properly, there are only four Commonwealths in the United States, Pennsylvania and Massachusetts being two of those four Commonwealths.

The case in point, in Massachusetts, was the Crown Super Market Case, and in that case they were interpreting a statute very similar to our existing Blue Laws in Pennsylvania. It was so found by a three-man Federal Court, and by the way the Massachusetts statute goes back to 1694, I believe, even before the Constitution of the United States was framed and drafted. In this case the Federal three-man court found that the Massachusetts statute violates the equal protection of the laws of the Federal Constitution, Article 14. I say to you that Senate Bill 405 falls into exactly the same category as the Massachusetts case did. And, if, as and when this 405 becomes law and is challenged in the court, the Federal Court must come to exactly the same conclusion.

I do not like to raise the question of secular, religious or any other like issue here, but I think that is one basis upon which this bill before us may be unconstitutional, because it has the effect of legislating an economic issue under the guise of religion, being that this Senate Bill 405 applies to the stopping of sales on Sunday, the so-called Lord's Day.

Now certainly I do not consider myself to be irreligious, but I do not think that the Legislature should legislate on religious issues. In fact, if you check the United States Constitution very carefully you will find that there is an absolute prohibition against laws being passed as to religion. We all know the reasons our forefathers came to this country was because of religious persecution and prosecution in those old countries.

I, therefore, raise the question and I would like a decision by this House, and I will also take a division on this question rather than a long extended roll call, as to the constitutionality of this bill before us.

Mr. STROUP. Mr. Speaker, if I am in order I desire to debate this question of constitutionality. Am I in order?

The SPEAKER. The gentleman is in order. That is the question before the House.

Mr. STROUP. Mr. Speaker, I should like to call the attention of the House to this question of constitutionality, relative particularly to the first matter raised by the gentleman from Philadelphia as to discrimination in classification.

This argument was recently rejected by the Supreme Court of Ohio in an opinion by Judge Zimmerman in State vs. Kidd, 150 N. E. 2nd p412, and I want to quote from that opinion on page 418. I quote as follows:

"Sunday observance laws are in force in most of the states and generally certain activities have been exempted from their coverage. These Sunday Laws are sustained, quite uniformly, upon the theory that the selection of subjects for exemption is peculiarly a matter of Legislative discretion. Fundamentally, discrimination is the very essence of classification and is not objectionable unless founded on distinctions which the Courts are com-



pelled to pronounce unreasonable or purely fictitious."

Now, Mr. Speaker, if this House will be patient with me for a few minutes, I believe the matter of constitutionality is sufficiently important that we should go into it a little more deeply and a little more thoroughly. I therefore ask the attention of the House, and will be as brief as I can with this particularly important subject.

Because the gentleman from Philadelphia has placed so much emphasis on the constitutionality of Senate Bill 405, I want to try to establish to your satisfaction that this measure before us does not violate the Constitution of Pennsylvania or the Constitution of the United States. As the Legislative body of this Commonwealth we are always concerned whether or not, in our humble judgment, a bill violates the basic instrument which guarantees the right of each and every citizen of the Commonwealth of Pennsylvania. We cannot, of course, at any time with any degree of absolute certainty predict the decision of our Appellate Courts, on questions of constitutionality or, for that matter, on any question that may be at issue. But we can properly be guided by the decisions of our courts on similar laws heretofore promulgated by this General Assembly.

First, let us consider this bill under the Constitution of the Commonwealth of Pennsylvania. All of the lawyers in this body know that our Pennsylvania courts have uniformly and consistently held for more than 133 years that the Act of 1794 and the Act of 1939, known as "Worldly Employment for Business on Sunday Laws," do not violate the Constitution of Pennsylvania.

Perhaps the first case was *Commonwealth vs. Wolfe*, decided in 1818. The Landmark case, which has been cited by authorities time and time again by our lower courts and by our appellate courts, has never been contravened. That case is *Commonwealth vs. Specht*, 8 PA. 312, I believe it is, and was decided by our Pennsylvania Supreme Court in 1848.

The facts of that case concerned the performance of worldly employment by one Jacob Specht, who pled in his defense that he was a member of the Seventh-Day Baptist Congregation, and observed the seventh day as his Holy Day. The Court very carefully reviewed the entire question of constitutionality under the Pennsylvania Constitution, and in a very lengthy and in a comprehensive opinion left no doubt whatsoever but that the Act of 1794 was constitutional and did not violate the provisions of Article I, Section 3 of the Pennsylvania Constitution.

I want to read that Article for your information, ladies and gentlemen, as follows:

"All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No man can be compelled to attend, erect or support any place of worship or to maintain any ministry against his consent. No human authority can in any case whatever control or interfere with the rights of persons, and no preference shall be given by law to any religious establishment or modes of worship."

Now the Specht case was, of course, decided before the adoption of the 14th Amendment to the United States Constitution. So it does no sway the act in the light of the First Amendment to the United States Constitution. It does, however, apply the third section of Article 1, which

I have just read to you, and all that it says concerning that section would apply with equal force to the First Amendment of the Federal constitution since the Federal amendment is not nearly as stringent as the corresponding provision in the Pennsylvania Constitution.

I should like to quote just briefly from that Specht opinion, as follows:

"Where a very large majority of people celebrate the first day of the week as their chosen period of rest from labor, it is not surprising that the certain day should receive legislative sanction."

Then the court further states:

"Yet this does not change the character of the enactment. It is still essentially but a civil regulation made for the government of man as a member of society, and obedience to it may properly be enforced by penal sanction. To say that one of the objects of the Legislature was to observe the sanctity of a particular day selected by the Legislature is to say nothing in proof of the unconstitutionality of the Act unless in this the religious conscience of others has been offended or their rights of worship have been invaded."

Judge Bell says as follows, and I think this is very important, if you will attend me, please:

"It intermeddles not with the natural and indefeasible right of all men to worship Almighty God according to the dictates of their own conscience. It compels none to attend, erect or support any place of worship or to maintain any ministry against his consent. It pretends not to control or to interfere with the right of persons, and establishes no preference for any religious establishments or modes of worship. It treats no religious doctrine as paramount in the state, it enforces no unwilling attendance upon celebration of Divine Worship; it says not to the Jew or the Sabbatarian, you shall desecrate the day you esteem as holy and keep sacred to religion that which we deem to be so. It enters upon no discussion of rival claims of the first and seventh days of the week, nor pretend to bind upon the conscience of any man any conclusion upon a subject which he must decide for himself."

The determination of this case in 1848 in this Commonwealth has been cited time and time again by our lower courts and appellate courts upholding the Act of 1939 and the Act of 1794. And therefore Senate Bill 405 comes under the same category and the same classification as being constitutional.

I should like to go further, Mr. Speaker, with your permission, and tell you that since the decision in the Specht case in 1848 there have been a series of cases to which I have alluded. I am not going into those cases. Most of the lawyers in this House are familiar with them, but according to Shepard's Annotations and according to Purdon's Statutes this bill which we have here today, as is the Act of 1939, effectively a reenactment of the Act of 1794.

And the recent cases in 1958 to which the gentleman from Philadelphia has alluded, I believe, *Commonwealth versus Bauder* and *Commonwealth versus Mills* in the courts of Lehigh County, have been held to be constitutional. Therefore the Act of '39 was held to be constitutional.



Judge Henninger went into a very documented and careful opinion, and most of you attorneys are familiar with that opinion. Those cases were appealed to the Superior Court of Pennsylvania and the Superior Court endorsed the constitutionality of the Act of 1939 on the opinion by the Lehigh County Court Judge, and there was an appeal taken to the Supreme Court of Pennsylvania which affirmed the opinion of the Superior Court. As I understand it further, there was an appeal taken to the Supreme Court of the United States, and that appeal was withdrawn.

As a consequence, therefore, we have before the Federal Court of the United States the two Guys from the Harrison case presently before the Federal District Court in the Central District of Pennsylvania to decide the constitutionality of this case on the Federal basis.

So there is no basis whatsoever at the present time for anybody to maintain that the Act of 1939, and therefore Senate Bill 405, is not constitutional.

I would like to consider briefly, if you will permit me, Senate Bill 405 under the United States Constitution. Listen now to Article I of the amendments to our Constitution of the United States:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise of religion.

And that is all. So you can see it is not nearly as stringent as the Pennsylvania Constitution.

And then the 14th Amendment to which the gentleman from Philadelphia has alluded, says as follows:

No State shall make or enforce any law which shall abridge the privileges or immunity of citizens of the United States and no State shall deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction equal protection of the law.

Now those opposed to this bill and the gentlemen from Philadelphia have cited the Crown Kosher Supermarket case which was decided in May, 1959 by the Federal District Court of Massachusetts in an opinion written by a very learned and distinguished Judge, Chief Justice Magruder of that court, who established that the Massachusetts law violated the Federal Constitution. We are compelled, therefore, to carefully examine the facts of this particular case before we can accept such an assertion as made by the gentleman from Philadelphia that that case is sufficiently valid to predict that this bill Senate Bill 405, and the Act of 1939 therefore violates the Federal Constitution.

The case in Massachusetts specifically limits itself to the sale of kosher meats and kosher products on Sunday. Ninety-five percent of the business of that market was in kosher products, and the necessity of the sales was such that there was no other place that these products could be bought within 26 miles, and the necessity of dietary sanction of fresh meat within 72 hours by orthodox rabbis was then in issue. The court was greatly influenced by the fact that the act violated not the general phase of the constitutionality, but violated the religious observance provisions.

Such a factual situation I maintain, Mr. Speaker, cannot possibly be utilized in order to throw the charge of unconstitutionality as violative of the 14th Amendment where the Federal Constitution is concerned, into our face here this afternoon.

There has been no rule made whatsoever by the Supreme Court of the United States upon this issue. It is presently pending, that is true, in our Federal District Court, but we have no basis whatsoever to come to the conclusion that Senate Bill 405 is a violation of the 14th Amendment of the Federal Constitution. In fact, we have a right to conclude to the contrary, by reason of the fact that, as Chief Justice Magruder pointed out in his opinion, were he called upon to utilize the case of Friedman in New York State that was dismissed by the U.S. Supreme Court he then would have found that the law in Massachusetts was constitutional.

He based his decision purely upon the statement that the law in Massachusetts was essentially and singularly religious. Here in Pennsylvania, ever since the decision in 1948, our laws have been considered to be a civil regulation only and not a religious matter.

Now if one would throw religion into the debate, and suppose it must be argued here on the basis of unconstitutionality, then we are forced in concluding and anticipating that Senate Bill 405 is in no wise unconstitutional, either from the standpoint of the Pennsylvania Constitution or from the standpoint of the 14th Amendment of the Federal Constitution.

I ask all Members of the House to think carefully on the constitutionality of this bill. I am sure that I am correct in the analysis which I made, and I assure you that in my opinion, in the opinion of most of the lawyers at the Bar, and in the opinion of the Supreme Court of this state, this bill as it now stands is presently constitutional.

Mr. GOLDSTEIN. Will the gentleman from Bedford, Mr. Stroup, consent to be interrogated?

Mr. STROUP. I shall, Mr. Speaker.

Mr. GOLDSTEIN. The gentleman from Bedford has argued the constitutionality of the Acts of 1939 and 1794. Can the gentleman point to any decision in any state which has declared an act similar to Senate Bill 405 with its arbitrary classification as legal?

Mr. STROUP. I know of no particular similar case that has been brought before the court as to constitutionality. The only answer I can give the gentleman is this, that there are acts in other states which are similar, this is designed somewhat after them, and careful attention has been given to the selectivity of articles so there would be no discrimination insofar as the classification is concerned. It would certainly stay within the identical classification.

Also, I am assured the Attorney General's office, which assisted in drafting this bill, is of the opinion that the bill as drafted is constitutional.

Mr. GOLDSTEIN. Mr. Speaker, am I correct in understanding the gentleman from Bedford to state that he relies upon the interpretation of the Ohio statute in Ohio vs Kidd as to stating the constitutionality on a classification basis?

Mr. STROUP. That is right.

Mr. GOLDSTEIN. You rely upon that statute?

Mr. STROUP. I quoted that opinion.

Mr. GOLDSTEIN. Now are you familiar with the terms of that statute?

Mr. STROUP. I beg your pardon, sir.

Mr. GOLDSTEIN. Is the gentleman from Bedford familiar with the terms of the statute of Ohio?



Mr. STROUP. I am fairly familiar with it. I know what the gentleman is trying to allude to, and that is the amendments as in that statute.

Mr. GOLDSTEIN. No, I am not.

Does the gentleman from Bedford know that the Ohio statute is a broad statute containing no classifications? If I read it to him will he recede from his position that the Ohio statute sustains his position?

Mr. STROUP. No, I will not.

Mr. GOLDSTEIN. I will read the statute and you examine it.

Mr. STROUP. Mr. Speaker, I can save the gentleman the necessity of reading the statute. I am familiar with it, and despite his statement relative to the difference in the statute which he holds in his hand and that which we have before us in Senate Bill 405, I would maintain that there is sufficient past experience on constitutionality and classification to warrant the assumption that Senate Bill 405 will satisfy constitutionality as to classification.

Mr. GOLDSTEIN. Thank you.

The gentleman does not wish to hear it, but I think the Members of the House will, and with the Speaker's permission I will proceed. I will be as brief as the gentleman from Bedford. It is only one paragraph.

The SPEAKER. The gentleman is in order.

Mr. GOLDSTEIN. The Ohio statute reads as follows:

No person who is over 14 years of age shall engage in common labor or open or cause to be opened, a building or place for transaction of business, or require a person in his employ or under his control to engage in common labor on Sunday. In prosecutions under this section complaints shall be made within 10 days after a violation.

This section does not apply to work of necessity or charity, and does not extend to persons who conscientiously observe the seventh day of the week as the Sabbath, and abstain thereon from doing things prohibited on Sunday.

I merely call that to your attention because the Ohio statute is not a discriminatory statute, it is a general statute, and the Commonwealth of Ohio vs. Kidd does in no degree sustain the position of the gentleman from Bedford.

I will say as far as the Attorney General is concerned, we disagree with the Attorney General's office if they say Senate Bill 405 is constitutional.

Insofar as the religious element is concerned, up to date the Commonwealth of Pennsylvania, the Supreme Court, sustains his position.

Mr. SCHAAF. Very briefly, Mr. Speaker, I wish I could share the enthusiasm of the advocates of the constitutionality of this particular piece of legislation. I would remind the House that this confidence is apparently not shared by the Department of Justice of this state, and I say that for this reason: As a result of the commendable effort on the part of the District Attorney of Dauphin County, even now one of the very constitutional questions which have been raised here this afternoon is being laboriously considered by a special panel—if my information is correct, and my recollection is correct—of Federal Court Judges appointed by the Third Circuit Court of Appeals.

Again, if my recollection is correct, this appointment was secured at the special request of the Department of

Justice. So they apparently have, and I may be wrong in my assumption, but they apparently have a question as to one constitutional issue raised here this afternoon.

I would remind the House that there are two questions. One, as to the classification of subject matter. There is a second constitutional question, that of the religious aspects of this bill. Although I am not the brightest lawyer in the world, I do know the law is a growing thing.

I respectfully suggest to the House that a precedent originally decided in 1846 may well not be a satisfactory precedent today.

Mr. SCHWARTZ. Mr. Speaker, I would certainly not want to be as definite as the gentleman from Bedford, Mr. Stroup, when you consider that our courts very often reverse themselves. The gentleman from Bedford, I think, is very familiar with that. It has become a very common practice in recent years for even the Supreme Court of Pennsylvania to reverse itself. I remember one case not so long ago where four months after they rendered a decision they completely reversed themselves. Therefore I think it is not good for any Member of this House to be so very definite in his views.

I agree with the last speaker that there is a serious problem, and a serious question in the mind of the District Attorney of Dauphin County, as well as the Justice Department of the Commonwealth, because they have requested a prompt decision by the Federal Court to decide whether the 1794 Blue Law as set forth in the Penal Code of 1939 is or is not constitutional. Therefore when we get to 405, I say to the Members of the House that you not only have the question raised that you have raised in the Blue Law Statute of 1794, but you additionally have this question of reasonable classification.

I humbly feel in my opinion—I will not say that I am right or that I am wrong, but it is subject to a decision by the courts—this is not a reasonable classification, and I say that most of the decisions to which the speaker, to which the gentleman from Bedford, alluded were cases which were decided before the enactment of the Fourteenth Amendment to the Constitution.

I also want the gentleman to know that the Supreme Court of the United States has the last word as to whether a state act is constitutional or unconstitutional. I believe this is an extremely serious question and I think Mr. Stroup will agree with me, therefore, that it is serious in nature and important, and that we ought to have a roll call on this particular question.

I therefore at this time ask for a slow roll call vote.

## PARLIAMENTARY INQUIRY

Mr. TOMPKINS. I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, in the vote on this question, does the House determine the constitutionality only as it relates to the Pennsylvania Constitution, or as it relates to both the Pennsylvania Constitution and the United States Constitution? And what power do we as the Pennsylvania Legislature have to determine the constitutionality of anything under the United States Constitution?

The SPEAKER. The Chair is of the opinion that we are concerned at this time solely with the Constitution of Pennsylvania.



The question before the House is on the Point of Order raised by the gentleman from Philadelphia, Mr. Schwartz.

Mr. SCHWARTZ. Mr. Speaker, I do not like to differ with the Chair, but I do not think we can take the position that Pennsylvania has just abrogated itself from the Union of the States. I think we must remember that we are part of the United States of America.

I hesitate to challenge the Speaker's decision, but it seems to me that when the word "constitutional" is raised it means just what it says. It does not mean constitutional under the laws of the Commonwealth of Pennsylvania; I think it must take into consideration the Federal laws and the Federal Constitution.

If you will look in the manual, Mr. Speaker, not only do you have the Constitution of Pennsylvania, but I believe you have the Federal Constitution. I think we must recognize that this is not only a question under our State Constitution, but our Federal Constitution as well, and I suggest to the Speaker that he reconsider the ruling he has just made.

The SPEAKER. The Chair is of the opinion that whether or not actions taken by the state of Pennsylvania are in derogation of the Federal Constitution is a question that must be submitted to the Supreme Court, and that we in this arena make our own proposals in the light of what we consider the Constitution of Pennsylvania ordains.

On the question recurring,

Will the House sustain the constitutional point of order?

The yeas and nays were required by Messrs. SCHWARTZ and FINEMAN, and were as follows:

## YEAS—23

Capitolo,	Gelfand,	Monroe,	Schaaf,
Cianfrani,	Goldstein	Murphy, P. J.,	Schwartz,
Ellberg,	Holt,	Perry, P. E.,	Silverman,
Fineman,	Isaacs,	Polaski,	Stank,
Floyd,	Jones, F. R.,	Prendergast,	Worley,
Garlock,	Lippincott,	Scarcell,	

## NAYS—158

Agnew,	Fulmer,	McLaughlin,	Sherman,
Anderson,	Gallagher,	Machmer,	Shupnik,
Ashton,	George,	Magee,	Snare,
Auker,	Gibb,	Mahan,	Snider,
Balthaser,	Goodrich,	Markley,	Steckel,
Barton,	Hamilton,	Meholchick,	Stewart,
Bell,	Heavey,	Merry,	Stimmel,
Boris,	Helm,	Miller, B. Z.,	Stone,
Boies,	Henzel,	Miller, H. G.,	Stoner,
Bonner,	Hocker,	Muldowney,	Strausser,
Bower,	Holliday,	Mullen,	Stroup,
Bowman,	Horst,	Munley,	Sullivan,
Branca,	Jenkins,	Murphy, A. J., Jr.	Taylor,
Brenninger,	Jim,	Murray, H. P.,	Tompkins,
Breth,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Buchanan,	Johnson, R.,	Murray, P. G.,	Ujebal,
Burns,	Jones, T. H. W.,	Musto,	Varallo,
Capano,	Jump,	Naugle,	Varner,
Cioffi,	Kamyk,	Needham,	Verona,
Comer,	Kee,	O'Dell,	Wall,
Crossin,	Kelser,	O'Donnell, J. A.,	Walsh,
Curwood,	Kernaghan,	Odorisio,	Wargo,
Davis,	Kessler,	Ogilvie,	Weidner,
Dengler,	Knecht,	O'Neill,	Welsh,
Dennison,	Kooker,	Parlante,	Wescott,
Devlin,	Kornick,	Pashley,	Wheeler,
Donahue,	Korns,	Perry, H. H.,	Whittaker,
Donaldson,	Kovolenko,	Petrosky,	Williams, A. D., Jr.,
Dougherty,	Kubitsky,	Polen,	Williams, E. S.,
Edwards,	Lee, A. M.,	Price,	Willard,
Eshback,	Lee, K. B.,	Pursley,	Willaredt,
Eshleman,	Light,	Reibman,	Wilt,
Ewing,	Limper,	Reidenbach,	Wood,
Fetterolf,	Lopresti,	Renwick,	Wynd,
Filo,	Luigard,	Rigby,	Yatron,

Flynn,	McCandless,	Riley,	Yetter,
Foerster,	McCann,	Rovansek,	Zimmerman,
Fox,	McCormack,	Royer,	Andrews,
Frank,	McDonald,	Rudisill,	Speaker
Frascella,	McKeever,	Seltzer,	

## NOT VOTING—27

Arlene,	Farabaugh,	Leonard,	Nelson,
Blair,	Gailey,	Lutty,	O'Donnell, J. P.
Brown,	Gramlich,	McInroy,	Sakulsky,
Clarke,	Guthrie,	Maxwell,	Schuster,
Cooper,	Heffner,	Mihm,	Stevens,
Dennis,	Irvia,	Mills,	Thompson,
Down,	Lamb,	Moran,	

So the question was determined in the negative and the constitutional point of order was not sustained.

On the question recurring,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, the comment I wanted to make before is this: I recall taking an oath of office here and I believe that the other Members of the House took the same oath of office I did, and part of that oath was not only to defend and obey the Constitution of the Commonwealth of Pennsylvania but the Constitution of the United States as well.

I want that as part of the record in connection with the debate on whether the constitutionality applied only to the Pennsylvania Constitution or the Federal Constitution. And at this time, Mr. Speaker, if I am in order, . . .

The SPEAKER. The Chair does not know whether the gentleman is in order till we know what he wants to do.

Mr. SCHWARTZ. I am just getting to that, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

## MOTION TO GO INTO COMMITTEE OF THE WHOLE

Mr. SCHWARTZ. Thank you, Mr. Speaker.

At this time I would like to move that this House resolve itself into a Committee of the Whole for the purpose of the consideration of the amendments which are about to be proposed.

On the question,

Will the House resolve itself into a Committee of the Whole?

Mr. SCHWARTZ. I make this suggestion because I feel that there will be more fluidity of movement. I think it will save some time. I would like to see how the Committee of the Whole operates anyway. Since I have been here I have never seen it.

Under rule 19 of the rules under which we are operating, I believe it gives each Member an opportunity of speaking more often on a subject. I think that it might give the Speaker a little rest because I see by the rule that the Speaker then under the Committee of the Whole appoints somebody to take his place in the Chair.

Honestly, I am not looking for any dilatory tactics or delaying, but I think perhaps a committee is supposed to consider matters, and I think that is one way of doing it.

So, therefore, I made the motion at this time. I do not require a full roll call on this question, a division will be satisfactory—that this House do resolve itself into a Committee of the Whole at this time.

Mr. McCANN. Mr. Speaker, the gentleman from Philadelphia, Mr. Schwartz, has made a motion under the provisions of Rule 19 of this House in which the House is permitted to resolve itself into a Committee of the Whole. I rise to oppose the motion on the grounds that the House



is considering every motion and every amendment that has been offered to or for Senate Bill 405, and I ask that we do oppose the motion to resolve the House into a Committee of Whole under the provisions of Rule 19.

Mr. A. W. JOHNSON. Mr. Speaker, I, in connection with the motion, feel that we have been making some good progress here this afternoon, that is to say, it has been an orderly procedure. We do very well in having amendments offered and having them discussed and then having a vote on them. I feel that going into a Committee of the Whole at this time would merely complicate matters, would, I believe, delay proceedings, and it seems to me that in view of what has taken place up to this point, there having been just not too many aye votes for any proposition that has been submitted, we are at the point right now where Mr. Schwartz or those who have amendments can get up and offer the amendments, make a brief concise statement as to what the amendments do, and then take this last roll call on constitutionality and let the members get up and change their votes one way or the other.

I think you would accomplish the same purpose expeditiously and well. I do not mean to get involved in this discussion. I know that members are interested in it but, after all, a number want to get away to go to Pittsburgh to the funeral tomorrow and it seems that those who have amendments could all get together and lay them out here, tell us what they are and let us vote on them in the manner suggested.

Therefore, I ask the House to vote against the motion. On the question recurring,

Will the House resolve itself in a Committee of the Whole?

More than a majority of the Members present having voted in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

The SPEAKER. For what purpose does the gentleman from Lehigh rise?

Mr. FRANK. To make a brief statement.

The SPEAKER. It must to be pertinent. There is nothing in order at the present time but the consideration of Section 1 of this bill.

Mr. FRANK. Well, I think what I am going to say may be part of it.

The SPEAKER. The Chair will recognize the gentleman later for a general statement.

Mr. FRANK. Well, you heard this afternoon nothing but lawyers. Now you are going to hear from Sam, the pants man.

I am taking the floor today not to debate this bill whether it is religious or if it is unconstitutional, but to represent the 100,000 retail clerks and the so-called small businessmen who really have no lobbyist to voice their opinion. I have received over 2,000 letters from sales clerks.

The SPEAKER. The gentleman is—

Mr. FRANK. This is on the bill, Mr. Speaker.

The SPEAKER. The gentleman is in order, if he had the floor to discuss the bill.

Mr. FRANK. Well, it is on the bill. Senate Bill 405,

The SPEAKER. The gentleman will proceed if he is discussing the bill.

Mr. FRANK. The sales clerks in the various department stores in Allentown, the city of Allentown, are very much concerned that Senate Bill 405 does not pass. I have the floor, I gave him all the opportunity—

Mr. SCHWARTZ. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Philadelphia rise?

#### POINT OF ORDER

Mr. SCHWARTZ. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. SCHWARTZ. This bill will be debated at length. Now we have a bill here on second reading. I do not think the merits of the bill are debatable at this point and, therefore, I raise a point of order. I do not want to cut anybody off, but it seems to me that if we want to consider amendments with dispatch here—

The SPEAKER. The gentleman is correct. The House, of course, could defeat the bill on second reading and from that point of view the gentleman would be pertinent, but the business to which the House is now committed actually and by inference is the consideration of amendments to Section 1, and the question of adopting the bill as a whole is not an issue. We have not yet arrived at the point where we ask the House will it agree to the bill on second reading. When we reach the point, where we ask that question, will the House agree to the bill on second reading, we will recognize the gentleman from Lehigh.

Mr. FRANK. Mr. Speaker, I withdraw. I will be back.

Mr. GOLDSTEIN. Mr. Speaker, I have two amendments which I wish to present. I am probably certain of the result. I will be satisfied with a division. I am going to talk very briefly on them.

Messrs. GOLDSTEIN and ZIMMERMAN offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, line 15, by inserting after "thereafter" "The provisions of this section shall not be applicable to persons who conscientiously observe the seventh day of the week as the Sabbath, and abstain thereon from doing the acts prohibited on Sunday by this section."

Mr. GOLDSTEIN. Mr. Speaker, the purpose of this amendment is clear. It means that any person who, for religious reasons, actually closes his place of business on the seventh day and does not engage in any matters prohibited by this section, will be exempted from this act.

Similar provisions exist in eleven states and this Commonwealth, particularly the state of Ohio. We see nothing improper in this amendment. It speaks for itself. There are many people in my district who actually close their places of business on the Sabbath and keep their places of business open on Sunday. This has been a custom from time immemorial, since I was a child.

The SPEAKER. The gentleman from Pittsburgh must have imagined that he was born the same time as the Speaker.

Mr. GOLDSTEIN. Thank you. The debate has been going on for so long that I have become an old man.

However, since we have talked about maturity and old things, I wish to call to your attention that back in the 17th century William Penn founded this Commonwealth as a place of refuge for the Quakers who were



being harassed by the then government in control of England. And Mr. Penn, as one of the fundamental principles of this Commonwealth, made this a place of refuge for people of all religions, races and denominations. We had religious freedom in Pennsylvania when we did not have it in the Commonwealth of Massachusetts. And, in voting on this amendment to which I will take a division, I ask you to stand behind one of the other ancient men, William Penn.

Mr. GELFAND. Mr. Speaker, I rise to speak in support of Mr. Goldstein's amendments.

We all know that in this Commonwealth there is more than one religion. There are people of the Jewish faith who are extremely orthodox and, in accordance with the tenets of their faith, they keep their places of business closed on Saturday. Not only that, but they do not engage in any business-like activities or wordly activities on that day.

Also, there are other religious sects, like the Seven Day Adventists, Mohammedans, who also celebrate other days of the week as their religious day of rest and worship. In due justice to them, especially, inasmuch as we have already decided what we considered the constitutionality of this question, in due justice to them and in consideration of the fact that they are unable to engage in wordly activity on another day of the week, I would suggest that we consider this amendment very, very seriously and fully.

I say this because if we do not accept an amendment such as Mr. Goldstein has just introduced, it would reap an economic hardship on these other people, inasmuch as not only would they find it necessary to keep closed on the day on which they celebrate as their day of worship, but they would also find it necessary to keep closed on Sunday. I know large areas of my own community, I know large areas of the city of Philadelphia, which would virtually have to close down unless such an amendment were added to the bill. I think in due justice to these people who are citizens of our Commonwealth, who pay and bear the burdens of our Commonwealth, who help sustain it, that we should consider the amendment and vote in favor of it.

Mr. FINEMAN. Mr. Speaker, lest the Members of this House have gotten into the habit of voting no, I suggest to them that they should consider this particular amendment with all seriousness because it merits your close attention.

It presents a problem that every Legislator has to meet. Heavy responsibilities devalue upon the Legislators in this House in making up their minds about this particular problem. Many men who have spoken to me about this bill have said that this bill in no way has any religious aspects to it. I think this is an ill-conceived concept. The bill unquestionably has religious implications that we should resolve.

We have on our statute books today an Act of 1794 as you know. This Act specifically says that whoever performs any wordly employment or business on the Lord's Day, commonly called Sunday, or it may be reversed—on Sunday, commonly called the Lord's Day—shall be in violation of the Act.

The very language of the statute implies that what the Act seeks to do is to enforce the observance of a Sabbath.

As a matter of fact, all the early American Sunday Laws came to us and were adopted in this country from the English laws that make use of the term "Lord's Day," "the Sabbath," and so forth. The fact that points up, more than anything else, that this is a religious bill, is the fact that we punish an act as a crime because it was committed on a certain day of the week, rather than because of the nature of the act itself. To illustrate: A man many be found guilty and punished for committing a nuisance on a Sunday, but if he commits that same nuisance on any other day of the week he is likewise punished. He is punished not because he committed this act on a Sunday, but because of the nature of the act. But, when we look at the provisions of this bill or the provisions of our Act of 1794 or our Penal Code of 1939, we find that what is legal on Saturday or any other day of the week becomes illegal on Sunday. Now if an act is in fact immoral or improper or wrong, then it retains that status no matter on what day of the week it is committed. So, no one can in seriousness argue that this does not have religious overtones. Now if, in fact, the bill has religious overtones, and this forms my basic opposition to this bill, then it is wrong for this body, as it is wrong for any civil body, by legislative mandate to tell the people of the state what day of the week they should observe as the Sabbath. It is wrong to tell the people of this state what day of the week they shall esteem more than other day of the week. That is not the function of civil government. The function of civil government is to protect all people in their civil rights and in their religious rights. This bill has no more propriety than a bill which would enforce closing on the Sabbath or a Saturday, because Saturday happens to be the Sabbath of the Seven Day Adventists or those of the Jewish faith.

When the creators of this country constructed our governmental structure, in their infinite wisdom they decided there was one area which should not come before the Legislature. There was one area where the will of the majority should not be imposed on the will of the minority, and that was the field of religion. God has made man a free moral agent. He has given man the right to choose. Religion is a matter of the heart; it is a matter of one's conscience. No legislative body should tell its citizens what day of the week they should observe as the Sabbath.

If this Legislature is intent upon passing this kind of law, they should at least take it upon themselves to denude this act of the odious provisions concerning the religious implications that it has. I respectfully ask your consideration in thinking wisely about the amendments that have been offered by the gentleman from Allegheny, Mr. Goldstein, and I respectfully ask that you give a color of sense and propriety to this bill by voting for those amendments.

Mr. McKEEVER. Mr. Speaker, I am not going into a theological treatise. I have but five lines to read and say to the House.

As I read this bill I find nothing in it of religious nature. The bill is prompted by the thousands of letters we all have received from the people who work in the stores on Sunday. As a vice president for the last 21 years of the Retail Clerks, I ask you, please, to think of the people. It is not a religious bill and do not let the



opposition read religion into the bill, for it is not intended. Vote against the amendments.

Mr. GELFAND. I have endeavored to refrain from debating the entire bill because I expect to debate the bill on third reading next week. I thought we could stick to just discussing the amendments that are under consideration. We are not going into the aspect as to whether or not this is a religious bill. I happen to believe that it is. But whether it is or not is not germane at this particular time.

I think the amendment under consideration is whether or not those people who celebrate another day of religious esteem shall be entitled to open on Sunday if they do in fact celebrate such a day. I say that it wreaks an economic hardship on those people because if they find it necessary to celebrate their own holiday, their own religious day, then they also find it necessary to be closed on Sunday. That would mean they would have to be closed two days a week, and because of that I think it is a rank injustice upon them. It would certainly create a tremendous economic disadvantage to them. Because of that I think we should vote in favor of these amendments.

Mr. SCHWARTZ. Mr. Speaker, I think this amendment, above all others, if it passed, would not bother Senate Bill 405 in any way. It would still permit the action to take place which the proponents of 405 want to take place. I just want to say that I think if you pass this amendment the chances of this bill being declared unconstitutional at some later date will be that much lessened.

Mr. GELFAND. I would request a slow roll call.

Mr. SILVERMAN. Mr. Speaker, aside from the religious issue involved, I think this bill might very well mean the economic death of some people. The Orthodox Jews close on Friday at sundown. You are imposing a five-day week upon a merchant. In other words, he will be closed from Friday sundown until Monday. I think this is grossly unfair and, as Mr. Schwartz has stated, the chances of the final passage of this bill would be enhanced if this amendment were voted for.

Mr. McCORMACK. I thought you were supposed to stand at your seat until you were recognized by the Speaker; I have been doing that and have not been recognized.

The SPEAKER. The gentleman is supposed to address the Chair and then take whatever place from which he wants to speak.

Mr. McCORMACK. In order to expedite—

The SPEAKER. The Chair does not care to dispute the matter with the gentleman. He is recognized to discuss the matter before the House, but could not recognize him until he addressed the Chair.

Mr. McCORMACK. Is it the ruling of the Speaker then that when you want recognition you walk to the microphone?

The SPEAKER. And address the Chair. Otherwise, we do not know whether you are wandering around or whether you are engaged in the business of the House.

Mr. McCORMACK. The Speaker knows very well that I am not wandering around. I would like to speak on this amendment.

The SPEAKER. The gentleman will proceed. He has the floor.

Mr. McCORMACK. There are a lot of high-handed things going on around here and I do not want to make an issue of them, but I very well could. I do not like them.

I want to speak against this amendment. The question by implication has been raised that there is something wrong with the Lord's Day. It seems to me, and the decision of the Supreme Court so states, that Christianity is part of the common law of this Commonwealth, and it is so recognized in the Specht decision that the gentleman from Bedford, Mr. Stroup, cited before, that the mere fact there is a mixture of motives and the Legislature has chosen Sunday as a universal day of rest does not militate against the effectiveness or the constitutionality of the bill.

This issue two years ago was raised in a bill that I co-sponsored to prohibit the sale of automobiles on Sunday, and the very gentlemen who are raising this issue now voted against that amendment which would permit those who did not practice the Christian religion to open on Sunday and close on Saturday. That was defeated decisively.

The real thing is that this is a great social bill. It affects and affects very seriously the welfare of the people. It is not a religious bill, and I do not care who gets on the floor and denominates it as such; that still does not make it a religious bill. We are flying squarely in the face of decisions of the highest court in this Commonwealth when we say that there is something wrong with it because of the fact that it spells out Sunday.

Can anybody tell me how in conscience it would be possible to enforce a law where certain people can conduct activity on a day that the Legislature has spelled out should be set aside as a day of rest? Obviously it would be impossible. You cannot have certain people close on Saturday and open on Sunday. It would be impossible to enforce, and that is another reason why we should pass this bill without an amendment such as the gentleman has introduced.

A poll was taken of Jewish merchants, I am reliably informed, in the city of Philadelphia, on a particular street. There were 119 merchants visited on a Saturday, and of those 119, 115 were open. Now I would like to hear somebody get up and list to me these great businesses that practice the Sabbath and close on Saturday instead of Sunday. The truth of the matter is that the very ones who wish this amendment passed are the ones who would stay open on both days, and because of the impracticality of enforcing such a law, they know that they cannot be prosecuted. Therefore, I say that this amendment is nothing more than a subterfuge that is designed to negate the effectiveness of this good, wholesome and important law.

Mr. FINEMAN. I think it was manifestly unfair of the previous speaker to imply that I or any other speaker in favor of this amendment was casting an aspersion, an unfavorable reference, to the Lord's Day, Sunday.

I do not think that the argument can be more eloquently replied to than was done in a magazine article by the Reverend William H. Coons, a minister of the Reformed Church of Schenectady, New York. I would ask the House to bear with me for just a moment as I read some pertinent portions of this article.

This Reverend says,



"Whether we observe the Old Testament Sabbath, the seventh day of the week, or the Christian Sunday, the first day of the week, may not seem important, but it is important to recognize the meaning and purpose of each day. Of further importance is this, that Jews and Christians alike agree that the holy observance of one day a week, dedicated to worship and rest, is a vital Judaic-Christian function that should and must be preserved. We are convinced that the life and the future spiritual welfare of both the synagogue and the Christian church will depend largely on how Jews and Christians alike maintain this basic function of their faith. Of yet further importance is the basic principle inherent in Judaism and in Christianity of human freedom, which is involved in this issue, that men and groups have the right to choose their own interpretation as to which day of the seven in a week to observe as the day of rest, and how they should observe it."

The SPEAKER. The Chair has recognized the gentleman from Philadelphia several times. By unanimous consent he can continue to be recognized.

Mr. GELFAND. Thank you, Mr. Speaker. I am sure Mr. McCormack does not mean what he said. Sometimes in the heat of emotion I am sure he unleashes himself without consideration. As a matter of fact — — —

The SPEAKER. The Chair suggests that the gentleman refrain from getting this very important matter into the stage of a personal dispute about theology between the Members of the House. The Chair would prefer to let the record stand as it has been written.

Mr. GELFAND. Mr. Speaker, I am not going to go into a theological discussion. However, as a matter of enlightenment, I only would like to point out that there are many, many merchants in Pennsylvania who do observe another day religiously, and it is those whom I seek to protect. Whether or not I know their names is unimportant. They do observe a religious day. Now, insofar as naming a particular one, all the Speaker has to do is walk down Chestnut Street any Saturday and he will find a national candy chain closed, and they open for business on Sunday.

In addition, he raises the question of how this would be enforced. I would also like to advise him that New York does have such a provision in a statute, and the way it is enforced is by allowing the defendant, the merchant who is accused, to utilize that statement as a defense and if he can present evidence to sustain his position he is not prosecuted. It is as simple as that.

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Will the gentleman agree to take a division as previously indicated on this amendment.

Mr. GOLDSTEIN. I shall and I would like the division to be on the basis of harmony.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I would also like to interrogate the gentleman from Philadelphia, Mr. Schwartz.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Schwartz, permit himself to be interrogated?

Mr. SCHWARTZ. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, on subsequent roll calls on the various amendments that are being proposed, will the gentleman agree to take the roll call that was

previously used on the question of the constitutionality, with those Members desiring to change given permission to do so.

Mr. SCHWARTZ. Mr. Lippincott, it appears to me that no amendment of any type that would be introduced here this afternoon would have any chance of passage. I, therefore, suggest that we take a roll call on this last amendment and that that amendment stand for all subsequent amendments being introduced. I do not want to hold up this House any longer. I am perfectly satisfied for myself and any Members who have other amendments to introduce, that they be presented, a short debate if necessary, no debate if at all possible, and a vote taken with a possibility of a change by anybody who wants to change his vote.

Mr. LIPPINCOTT. I thank the gentleman and I understand that is satisfactory to the Members on this side.

The SPEAKER. The Chair considers that a very admirable arrangement.

Mr. McCANN. Mr. Speaker, I think it is only fair to say in behalf of Mr. Schwartz and Mr. Fineman of Philadelphia, who informed me of this only a few minutes ago, I would like to say to all the Members of this House that they have a moral conviction in this and at no time have they shown any dilatory tactics. They agreed to this and I thank them in behalf of the entire Membership of this House.

Mr. GELFAND. Mr. Speaker, I am only rising to point out that I requested a roll call on this vote.

Mr. McCANN. Mr. Speaker, there was no misunderstanding that this would be the roll call. Satisfactory?

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SCHWARTZ and FINEMAN and were as follows:

## YEAS—68

Arlene,	Garlock,	Monroe,	Schwartz,
Bower,	Gelfand,	Muldowney,	Silverman,
Breth,	Goldstein,	Munley,	Stank,
Capitolo,	Goldrich,	Murphy, P. J.,	Stewart,
Cianfrani,	Hamilton,	Odorisio,	Stone,
Clarke,	Holt,	Parlante,	Taylor,
Comer,	Horst,	Pashley,	Tompkins,
Dangler,	Irlis,	Perry, P. E.,	Varallo,
Dougherty,	Isaacs,	Petrosky,	Verona,
Edwards,	Jones, F. R.,	Polaski,	Walsh,
Eilberg,	Jones, T. H. W.,	Prendergast,	Wargo,
Fetterolf,	Kernaghan,	Reibman,	Wescott,
Filo,	Kessler,	Rigby,	Williams, A. D., Jr.,
Fineman,	Knecht,	Riley,	Williams, E. S.,
Floyd,	Kovolenko,	Sakulsky,	Worley,
Fulmer,	Lee, K. B.,	Scarcelll,	Wynd,
Galley,	Lippincott,	Schaaf,	Zimmerman,

## NAYS—116

Agnew,	Frank,	Luigard,	Reldenbach,
Anderson,	Frascella,	McCandless,	Renwick,
Ashton,	Gallagher,	McCann,	Rovanssek,
Auker,	George,	McCormack,	Royer,
Balthaser,	Gibb,	McDonald,	Rudisill,
Barton,	Gramlich,	McKeever,	Seltzer,
Bell,	Heavey,	McLaughlin,	Sherman,
Boies,	Heffner,	Machmer,	Shupnik,
Bonner,	Helm,	Magee,	Snare,
Boris,	Henzel,	Mahan,	Snider,
Bowman,	Hocker,	Markley,	Steckel,
Branca,	Holliday,	Meholchick,	Stimmel,
Brenninger,	Jenkins,	Merry,	Stoner,
Buchanan,	Jim,	Miller, B. Z.,	Strausser,
Burns,	Johnson, A. W.,	Miller, H. G.,	Stroup,
Capano,	Johnson, R.,	Murphy, A. J., Jr.,	Sullivan,
Cloffi,	Jump,	Murray, H. P.,	Trusio,
Crossin,	Kamyk,	Murray, J. J.,	Ujobal,
Curwood,	Kee,	Musto,	Wall,



Davis, Dennison, Devlin, Donahue, Donaldson, Eshback, Eshleman, Ewing, Flynn, Foerster, Fox,	Kelser, Kooker, Kornick, Korns, Kubitsky, Lamb, Lee, A. M., Light, Limper, Lopresti,	Needham, Nelson, O'Dell, O'Donnell, J. A., Ogilvie, O'Neill, Perry, H. H., Polen, Price, Pursley,	Weldner, Welsh, Wheeler, Willard, Willaredt, Wilt, Wood, Yatron, Andrews, Speaker
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## NOT VOTING—24

Blair, Brown, Cooper, Dennis, Down, Farabaugh,	Guthrie, Leonard, Lutty, McInroy, Maxwell, Mihm,	Mills, Moran, Mullen, Murray, P. G., Naugle, O'Donnell, J. P.,	Schuster, Stevens, Thompson, Varner, Whittaker, Yetter,
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So the question was determined in the negative and the amendment was not agreed to.

The SPEAKER. Since we have not had leaves of absence and the Minority Whip desires to request leaves of absence before this roll call, without objection the Chair will call for leaves of absence.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. BROWN for remainder of today's session.

The SPEAKER. At this time, the Chair desires to call to the rostrum to preside, the gentleman from Armstrong, Mr. Helm.

Before the Chair leaves, he wants to compliment this House upon the decorum and dignity with which this history-making debate has been conducted. He wants to compliment the opponents of the bill who invariably proceeded within the proper confines of parliamentary law. They made no mistakes along that line.

The Chair compliments the House. The Chair is a trifle weary and I would like to call on the gentleman from Armstrong, Mr. Helm. We tried to do the best we could this afternoon to preserve peace and harmony.

## MR. HELM IN THE CHAIR.

The SPEAKER pro tempore. The Chair thinks at this time it is proper to commend the Speaker for the very fine way in which he conducted the affairs of this House and for the order that was preserved during a very, very ticklish debate.

On the question recurring,

Will the House agree to the section?

Mr. GOLDSTEIN offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, by inserting after "thereafter" in line 15: "The provisions of this section shall not be applicable to businesses which are in charge of the owner, his wife, or an adult member of his family, and in addition to his family, do not during any day in the week employ more than three persons."

On the question,

Will the House agree to the amendment?

Mr. GOLDSTEIN. Mr. Speaker, briefly, this amendment is for the protection of the small businessman, not in the city but in the rural districts. Many roadside businesses will be put out of existence if this amendment is not adopted. And I say these small businessmen should not be the victims of an economic war between the big

department stores and the big discount houses.

I am speaking on behalf of the small businessmen who operate the small family businesses.

Mr. McKEEVER. Mr. Speaker, if that amendment went through, the gentleman who offered it, in my opinion, does not know the pitfalls. Where I come from that could mean that a small jewelry store at 7th and Sansom could do \$100,000 worth of business on Sunday with just him, his wife and son.

Another very important angle concerns these merchandise marts that have concessions. They could have a hundred concessions individually operated by three people per concession and this bill would be nullified.

Please vote against those amendments.

Mr. O'DELL. Mr. Speaker, I happen to reside in a rural section and I am speaking for a number of the small hardware dealers that are being operated by one or two persons. I have talked to these boys about 405 and everyone of them says, for heaven's sake, pass this bill. I want to stay home Sundays with my family, but my friends and neighbors come up to the house and say come on up to the store and get me a piece of sewer pipe or a pound of nails or a little roughing. They say, in order to keep peace, I have to do it.

The majority of the small home-owned hardware stores in my section want 405 passed in its present form.

Mr. McCANN. Mr. Speaker, prior to the last roll call, which was on the amendments that Mr. Goldstein offered, that roll call was 68 to 116. Many of the Members have indicated to me they want to be recorded differently on this. Did I make an error that most of them wanted to use the roll call on the constitutional question on which the roll call was 23 to 158?

However, of course, I would prefer a division, but I do not want to misrepresent what we had agreed to regarding the previous roll call.

The SPEAKER pro tempore. The Chair understood that we were to take the previous roll call and we would make any changes to that roll call that the Members desire.

Mr. McCANN. They inform me there will be a considerable number of changes. That vote was 68 to 116, Mr. Speaker, but however agreed to we can have it as a basic roll call.

The SPEAKER pro tempore. The Chair has been informed the correct roll call was 68 to 116.

Mr. GOLDSTEIN. I am satisfied with a division on this amendment. I know it is going to fall. I am satisfied with a division, but I certainly thank the gentleman.

On the question recurring,

Will the House agree to the amendment?

On a rising vote, less than the majority having voted in the affirmative, the question was determined in the negative, and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. FINEMAN offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, lines 1 to 6 by striking out "clothing and wearing apparel clothing" in line 1, all of lines 2 to 5 and "ties and souvenirs" and inserting: "anything other than food, prescription, drugs and newspapers."

On the question,

Will the House agree to the amendment?



Mr. FINEMAN. Mr. Speaker, as the Members of this House now know from the lengthy debate that was held all afternoon, we have on our statute books an Act which goes back to 1794, an Act that will remain in full force and effect even though Senate Bill 405 should pass and be signed into law by the Governor.

Actually, Senate Bill 405 is but an extension of the Act of 1794. And since it is an extension I felt that we should clothe it within the same ranks of antiquity because it has the same odor of mildew as the Act of 1794.

The purpose of these amendments, the refore, is to put Senate Bill 405 on a parity with the Act of 1794, to make the prohibitions, to make the restrictions, that are encompassed in Senate Bill 405 the same as the prohibitions we find in the Act of 1794, because there is just no logical reason, none whatsoever, why we should, let us say, fine an owner of a store who sells a pair of sun glasses on Sunday, for only \$4, and yet fine that same owner \$100 when he sells me a watch or a clock.

The purpose of these amendments, therefore, Mr. Speaker, if this Legislature is hell-bent upon passing this bill, as it would appear they are, is to really give the people of the state a Sunday Blue Law. If that is what the Legislature in its wisdom feels that the people want, a Sunday Blue Law, let us give it to them with all the trimmings. Let us give them the same act that our people, our forebearers, in 1794 gave to the people of that time.

Mr. McCORMACK. Mr. Speaker, I rise against this amendment and I would like to briefly state my reasons.

The foremost opponents of the Act of 1794 raised as one of their principal objections the fact that it was vague and uncertain. Now here is an opportunity in Senate Bill 405 to spell out specifically and categorically what is proscribed.

Now we are again, by virtue of this amendment, attempting to make it similar to the old Blue Law. In the case in Lehigh County of Two Guys from Harrison, the question was raised as to the non-uniformity of the application. They said, in effect, that some of the laws, in particular the law applying to boating is a law applying to Sunday sales of motor vehicles, imposing much higher fines than the particular act under which they were originally arrested. The Court at that time said, when that question is raised by those who had been harmed, they will take it into consideration, but those who are now before the court cannot complain because it does not harm them in any way.

So I think that this Senate Bill 405, without the amendments, clears up a lot of the objections from those who are most opposed to the old Blue Law and I ask that the amendments be voted down.

On the question recurring,

Will the House agree to the amendment?

On a rising vote, less than the majority having voted in the affirmative, the question was determined in the negative, and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. SCHWARTZ offered the following amendments:

Amend Sec. 1, page 1, line 2, by striking out "a new section" and inserting "two new sections"

Amend Bill, page 2, by inserting between lines 15 and 16 "Section 699.11. Engaging in Manufacturing, Processing or Distributing on Sunday.—Whoever engages in employment on Sunday in the manufacture, processing or

distribution of any articles whatsoever shall, upon conviction, thereof in a summary proceeding for the first offense be sentenced to pay a fine of not exceeding one hundred dollars (\$100) and for the second or any subsequent offense committed within one year after conviction for the first offense be sentenced to pay a fine of not exceeding two hundred dollars (\$200) or undergo imprisonment not exceeding thirty days in default thereof.

"Information charging violations of this section shall be brought within seventy-two hours after the commission of the alleged offense and not thereafter."

On the question,

Will the House agree to the amendments?

Mr. SCHWARTZ. Mr. Speaker, for the enlightenment of the House and before the defeat of this amendment, what this amendment would do would be to include in Senate Bill 405 the activities of manufacturing, processing and distributing on Sunday, as well as retail selling on Sunday.

This again, is a restrictive amendment, the purpose being to bring out the "ridiculousity," if there is such a word, of Senate Bill No. 405 and to provide that every segment of the economy receive equal treatment under the law.

Mr. McKEEVER. Mr. Speaker, we are aware that there is no economic competition by way of wholesaling, processing or transportation, but we are keenly aware of total inequities salary-wise by way of retail competition.

In my own area these men who are termed today by the newspapers as "discount men," do not compensate triple-time, double-time, but pay rather substandard time and sometimes they also trade days, that is, if you are off Tuesday you work Sunday without compensation, taking those men again away from their families. The wholesaling, processing and transportation are all taken care of, but these people that I speak of, and I ought to know what I am talking about, are the forgotten citizens made to sell things because some people wish to buy them on Sunday, whereas we have five nights in the week today, where you do not have a cracker-barrel area or era. We can make any purchase we desire five days and five nights, and there is no need for this bill nor this amendment.

On the question recurring,

Will the House agree to the amendments?

On a rising vote, less than the majority having voted in the affirmative, the question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. GELFAND offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, line 1, by inserting after "retail" "or wholesale."

On the question

Will the House agree to the amendment?

Mr. GELFAND. Mr. Speaker, the amendment which I have just submitted is a very, very simple and easy one to understand. It provides just to add two words to this bill. Those words are provided after the word "retail" so that it will say "retail or wholesale", and then proceed with the rest of the bill.

It seems to me that there is no reasonable differentiation between selling at retail on Sundays and at wholesale on Sundays. I know in many, many places within the city of Philadelphia they purport to be wholesaler merchants, and

factories and manufacturing installations who sell the merchandise they manufacture. Now if it is an economic hardship for the department stores of this state to meet the competition of discount houses, merchandise marts, or even small merchants on Sunday who sell the items designated in this bill at retail, it certainly seems to me that it would work the same economic hardship upon them to receive competition from wholesale dealers.

I therefore request that this House pass this amendment which makes a bad bill at least a little better. Then it will read "sell Sunday at retail and wholesale."

On the question recurring,  
Will the House agree to the amendment?  
It was not agreed to.

On the question recurring,  
Will the House agree to the section?

Mr. SCHWARTZ offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, line 1 by inserting after "retail" "candy, cigars, cigarettes, tobacco products, cosmetics or drugs, except those sold under a physician's prescription or."

On the question,  
Will the House agree to the amendment?  
It was not agreed to.

On the question recurring,  
Will the House agree to the section?

Mr. SCHWARTZ offered the following amendment:

Amend Sec. 1 (Sec. 699.10) page 2, line 5 by inserting after "recordings" "or sporting goods, cameras, photographic supplies"

On the question,  
Will the House agree to the amendment?  
It was not agreed to.

On the question recurring,  
Will the House agree to the section?

Mr. GELFAND offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, line 5 by inserting after "recordings" "or automobile accessories, motor vehicle fuels and lubricants boats marine engines and accessories"

On the question,  
Will the House agree to the amendment?

Mr. GELFAND. Mr. Speaker, I offer this amendment with this point. If it is our purpose to bring this Commonwealth to a complete commercial standstill on Sunday, there is no better way to do it than to stop the sale of lubricants, gasoline, and so forth.

On the question recurring,  
Will the House agree to the amendment?  
It was not agreed to.

On the question recurring,  
Will the House agree to the section?

Mr. SCHWARTZ offered the following amendment:

Amend Section 1 (Section 699.10), Page 2, Line 4, by deleting the words "musical instruments."

On the question,  
Will the House agree to the amendment?

Mr. SCHWARTZ. Mr. Speaker, I think, for the record,

this is one amendment that deserves some consideration by the Members of the House.

At the public hearing before the Rules Committee, I recall one gentleman appearing there representing a piano company. He informed the Committee that Sunday is an important day in connection with the sale of pianos because that is a day when the family goes as a unit to purchase such an item.

He testified, as I recall it, that approximately 50 per cent of their business was transacted on a Sunday.

I therefore ask for consideration of this amendment by the House.

On the question recurring,  
Will the House agree to the amendment?  
It was not agreed to.

On the question recurring,  
Will the House agree to the section?

Mr. GELFAND offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, line 1 by inserting after "retail": "real estate and mobile homes or."

On the question,  
Will the House agree to the amendment?

Mr. GELFAND. This is the last amendment I have.

Mr. Speaker, by merely reading the newspapers on any Saturday or Sunday we can find out that, one, the greatest commercial activity that occurs in this Commonwealth on a Sunday is the sale of real estate.

I certainly think that if we find it incumbent upon ourselves to forbid the sale of certain items at retail which contribute to commercial activity on Sunday, certainly there is nothing more commercial than the sale of real estate. I have talked to many, many, many real estate dealers, real estate brokers, who tell me that it wreaks an economic disadvantage upon them to work on Sunday because they cannot meet the advertising competition of large real estate brokers. Also, I have spoken to any number of real estate salesmen who say that they are precluded from contacting possible sales or possible clients because of the tremendous real estate activities that occur on Sunday and puts them at a competitive disadvantage.

Therefore, I think that this amendment is well worth our consideration and I request an affirmative vote for it.

Mr. STROUP. Mr. Speaker, in *Chadwick vs. Stokes*, the Federal Court has held that the purchase of a home on Sunday is not in violation of the Blue Laws. Therefore, these amendments are unnecessary.

On the question recurring,  
Will the House agree to the amendment?  
It was not agreed to.

On the question recurring,  
Will the House agree to the section?

Mr. SCHWARTZ offered the following amendments:

Amend Sec. 1 (Sec. 699.10), page 1, lines 3 and 4 by striking out "Whoever" and inserting: "Except as herein-after provided, whoever."

Amend Sec. 1 (Sec. 699.10), page 2, by inserting between lines 15 and 16: "The provisions of this section shall not apply to any place of business for which a pharmacy permit has been issued and in which a registered pharmacist is on duty."

On the question,  
Will the House agree to the amendments?



Mr. SCHWARTZ. The shouting and the tumult dies. I thought the Speaker had left the rostrum because he was tired, but I think he is enjoying it.

This is the last amendment that I have to offer. Don't get too jubilant, there may be others.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. FINEMAN. To ask unanimous consent of the House to make a brief statement.

The SPEAKER pro tempore. Does the gentleman desire to do that before we read the bill? We are still considering section 1 of the bill.

Mr. FINEMAN. With permission of the House or consent of the House, yes.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman will proceed.

Mr. FINEMAN. Now that all the amendments are by us, I would just like to say, and I say this on behalf of the opponents of this bill, that although we did not get your votes we did get your earnest respect, consideration and attention, and for this we are grateful and we thank you.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

### REPORT FROM COMMITTEE

Mr. POLASKI from the Committee on Municipal Government, reported as amended, House Bill No. 20, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs, towns and townships, and the regulation and maintenance thereof.

Mr. McCANN. Mr. Speaker, I only want to say that we would like to pass everything over on the calendar in whatever position it may be at this point, unless the Minority Leader would consent to moving up the second reading calendar, and the first reading calendar to second reading. We would like to do that. Thank you very kindly.

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2216, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 63, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" prohibiting drag races and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind, paraplegic and double or quadruple amputee veterans from the payment of certain real property taxes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1430, entitled:

An Act repealing section 1035, act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1651, entitled:

An Act amending the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168) changing the definition of employer deleting certain provisions increasing the discretionary power of the board and extending the time limits for certain procedures.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2142, entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission providing for its membership defining its powers and duties imposing duties on the State Council of Education and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.



Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2237, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 171, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the zoning board of adjustment must give their decision within forty-five days.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. ANDERSON asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by her.

## RESOLUTION

### CONDOLENCE

Mrs. ANDERSON, Mrs. MONROE, Mrs. F. R. JONES, Messrs. HOLT, FLOYD, ARLENE, RILEY, IRVIS, TAYLOR, Mrs. VARALLO, Messrs. DOUGHERTY, SCARCELLI, DENNIS, SHERMAN, Mrs. B. Z. MILLER, Messrs. STEWART, KEE, SCHWARTZ, FINEMAN and SCARCELLI offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, July 1959.

The Honorable Herbert E. Millen of the Municipal Court of Philadelphia, the first negro jurist in Pennsylvania, had his career brought to a close on Saturday, July 25, 1959 through an unexpected death.

Judge Millen, a native of Lancaster County, graduated from Lincoln University, Oxford, Pennsylvania and the University of Pennsylvania Law School. His first public office was that of Deputy Attorney General during the Pinchot Administration. When he was appointed in 1940 to the position of Assistant Director of Public Safety in Philadelphia, he was the first of his race to attain a high position in the government of that city. Another first was scored by Judge Millen when the former Governor, James H. Duff, appointed him to the Philadelphia Municipal Court on October 29, 1947. Thereafter he was elected to a ten-year term and this year nominated for another full term. Judge Millen's achievements and outstanding personal qualities marked him as an exemplary leader, jurist and citizen.

His civil activities were numerous in that he was president of the board of directors of the Mercy Douglass Hospital, a 33rd degree Mason and a Past Grand Master of the Pennsylvania Grand Lodge of Free and Accepted Masons, Prince Hall affiliation. Judge Millen also devoted a great deal of time to his church. The Reeve Memorial Presbyterian Church counted the Judge as one of its elders. Few people of any race, creed or color can boast of the achievements attained by the Honorable Herbert E. Millen; therefore be it

Resolved, That the House of Representatives extends its deepest sympathy to the thousand of friends and associates of Judge Millen and especially to his widow, Madeleine Millen in her hour of loss and bereavement; and be it further

Resolved, That copies of this resolution be forwarded to Mrs. Millen, 363 Pelham Road, Mount Airy, Pennsylvania and the Reeve Memorial Presbyterian Church, 50th and Aspen Streets, Philadelphia, Pennsylvania.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE BILLS Nos. 969, 1174 and 1311

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, July 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 969, Printer's No. 818, entitled "An Act amending the act of June 15, 1937 (P. L. 1743) entitled as amended '1937 Magistrates' Court Act' providing for the appointment of an acting chief magistrate."

DAVID L. LAWRENCE.

July 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1174, Printer's No. 376, entitled "An Act to authorize political subdivisions of the Commonwealth to establish an emergency temporary location or locations for their seats of government and to exercise governmental powers and functions thereat."

DAVID L. LAWRENCE.

July 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1311, Printer's No. 522, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' permitting certain additional insurance companies to come within the provisions thereof."

DAVID L. LAWRENCE.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 33.

An Act amending the act of June 18, 1941 (P. L. 137) entitled "An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by their fire companies in any city borough town and township" extending the rights and powers of special fire police to other duties performed upon request of municipal authorities.

#### HOUSE BILL No. 345.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing the annexation of certain territory in a township which territory is contiguous to and owned by the borough.



## HOUSE BILL No. 466.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

## HOUSE BILL No. 468.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating membership of the board of managers of the memorial monument or memorial hall in honor of the soldiers sailors and marines of the county and providing rooms for use of the Italian American World War Veterans of the United States, Incorporated.

## HOUSE BILL No. 472.

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A \* \* \* to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day" authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated.

## HOUSE BILL No. 957.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing the procedure for a change of classification.

## HOUSE BILL No. 1220.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for continuing operation of joint school systems when one or more member districts fail to unite with other member districts in the formation of a union or merged school district.

## HOUSE BILL No. 1231.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) excepting certain restaurants at airports from the quota limitations.

## HOUSE BILL No. 1326.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing certain county boards to establish and operate audio-visual libraries and providing for the costs thereof.

## HOUSE BILL No. 1429.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

## HOUSE BILL No. 2076.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating the amount of retirement allowances and payments to the retirement fund by the county and by employees.

## HOUSE BILL No. 2127.

An Act reenacting and amending Sec. 11 of "Police-men's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) providing a time when payments shall first be made to the widow and children of members who are killed while on duty.

## HOUSE BILL No. 2128.

An Act reenacting and amending clause (2) of section 9 act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class \* \* \*" providing for a time when payments shall first be made to the widow and children of members who are killed while on duty.

## HOUSE BILL No. 2132.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) providing a time when payment of pensions upon disability shall first be made.

## HOUSE BILL No. 2135.

An Act reenacting and amending Secs. 11 and 11.1 act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class \* \* \*" providing when pension payments to disabled members of the pension fund shall first be made.

With the information that the Senate has passed the same without amendment.

## BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 2127.

An Act reenacting and amending Sec. 11 of "Police-men's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) providing a time when payments shall first be made to the widow and children of members who are killed while on duty.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, July 22, 1959.

Resolved (if the Senate concur), that House Bill No. 1517, Printer's No. 928, entitled "An act amending the act of May 3, 1933 (P. L. 242) entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties' changing from annual to biennial registration and increasing registration fees," be recalled from the Governor for the purpose of amendment.

## SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 195.  
Resolution for concurrence Senate Serial No. 115.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1427, FROM GOVERNOR.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1427, Printer's No. 702, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY  
SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made

by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 95.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

## SENATE BILL No. 665.

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" further regulating the security required for deposits of State moneys.

## ADJOURNMENT

Mr. A. W. JOHNSON. Mr. Speaker, I move as a further mark of respect to the memory of the Honorable John R. Haudenshield, our deceased Member, the House do now adjourn until Monday, August 3, 1959, at 3:30 p.m., EST.

Mr. KAMYK. Mr. Speaker, out of respect for the late John R. Haudenshield, who has been a great friend of mine, too, and he advised me on many occasions, I second the motion to adjourn this House.

Mr. McCANN. Mr. Speaker, in respect to our late departed Member, John R. Haudenshield, I also second the motion that the House adjourn in respect to this fine gentleman until Monday of next week.

The motion was unanimously agreed to and at 6:51 p.m. EST the House adjourned in memory of Honorable John R. Haudenshield.





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Session 1959.

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HARRISBURG, PA., MONDAY, AUGUST 3, 1959.

No. 73.

## SENATE

MONDAY, AUGUST 3, 1959.

The Senate met at 2:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. JOSEPH WITTKOFSKI, Rector of St. Mary's Episcopal Church, Charleroi, offered the following prayer:

Let us pray.

Almighty Lord and everlasting God, Who dwellest above the cherubim and yet refuseth not to make Thy tabernacle among the children of men, vouchsafe, we beseech Thee, to behold our Governor, the Members of this Senate and all others who hold Thy authority in this Commonwealth. Make them deeply sensible of the grave responsibility which Thou hast placed in their hands. Turn their eyes away from all things selfish and petty. Give them the manifold gifts of Thy grace, that they may know and love Thee more as they better serve their fellow men so that, in the learning of Thy law, they may grow in Thy stature to their own salvation and to the welfare of this Commonwealth, through Thee, alone, Who art our Creator, our Savior and our Sanctifier, forever and ever. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. PROPERT, further reading was dispensed with, and the Journal was approved.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### MEMBERS OF THE ADVISORY HEALTH BOARD

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Health Board:

Edward F. Kunde, 47 Glen Ridge Lane, Mt. Lebanon, Pittsburgh, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified, vice Adolph W. Schmidt, Pittsburgh, resigned.

Theodore F. Hatch, School of Public Health, University of Pittsburgh, Pittsburgh 12, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified. (Reappointment)

D. John Lauer, M.D., 1311 Terrace Drive, Pittsburgh 28, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified. (Reappointment)

Frederic G. Weir, Esq., 3233 Orleans Street, Pittsburgh 14, Allegheny County, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified. (Reappointment)

Russell B. Roth, M.D., 629 Myrtle Street, Erie, Erie County, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified. (Reappointment)

DAVID L. LAWRENCE.

### MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Donaldson, Jr., Pittsburgh, Allegheny County, for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

### MEMBERS OF THE STATE FARM PRODUCTS SHOW COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the State Farm Show Commission, for the term of four years, and until their successors are qualified:

Donald Lanius, R.D. 3, York, York County.  
James E. Work, McClellandtown Road, Uniontown, Fayette County.

DAVID L. LAWRENCE.

### MEMBER OF THE PENNSYLVANIA FISH COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to



nominate for the advice and consent of the Senate Raymond M. Williams, Gladstone Street, East Bangor, Northampton County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1960, and until his successor is appointed, vice Charles C. Houser, Allentown, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE FOREST COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Philip H. Glatfelter, Spring Grove, York County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Board on Problems of Older Workers, from June 21, 1957, for the term of four years or until their successors are appointed and qualified:

Joseph H. Britton, University Park, Centre County.  
B. Frank Rosenberry, Palmerton, Carbon County.

DAVID L. LAWRENCE.

#### MEMBER OF THE OHIO RIVER VALLEY WATER SANITATION COMMISSION FOR THE COMMONWEALTH OF PENNSYLVANIA

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Karl M. Mason, Camp Hill, Cumberland County, for appointment as a member of the Ohio River Valley Water Sanitation for the Commonwealth of Pennsylvania, from January 7, 1958, until May 24, 1963, and until his successor shall be appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel Y. Cutler, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Optometrical Examiners, from December 31, 1958, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BEAVER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for appointment as members of the Beaver County Board of Assistance:

Miss Kathryn Ann Ross (Dem.), Ambridge, Beaver County, from July 25, 1958, until December 31, 1960, and until her successor is duly appointed and qualified.

George W. Barber (Dem.), Monaca, Beaver County, from July 25, 1958, until December 31, 1959, and until his successor is duly appointed and qualified.

Edward Kulik, (Dem.), Beaver Falls, Beaver County, from July 25, 1958, until December 31, 1959, and until his successor is duly appointed and qualified.

Edward L. J. McCabe (Dem.), Ambridge, Beaver County, from July 25, 1958, until December 31, 1960, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE SNYDER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William K. Thomas (Democrat), Beaver Springs, Snyder County, for appointment as a member of the Snyder County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Clarence M. Bailey, Beavertown, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Woodrow J. Cooley (Democrat), 12 Maple Street, Fairchance, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice James L. Ruane, Connellsville, resigned.

DAVID L. LAWRENCE.

#### MEMBERS OF THE JUNIATA COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Juniata County Board of Assistance:

Mrs. Catherine K. Kirk (Democrat), East Waterford, Juniata County, until December 31, 1959, and until her successor is duly appointed and qualified, vice David G. Hutchinson, McAlisterville, resigned.

Harold C. Hornbeck (Republican), Mifflin, Juniata County, until December 31, 1960, and until his successor is duly appointed and qualified, vice Rev. Elmer J. Davis, Mifflintown, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Florence A. Staeger (Democrat), 1103 East Lehman Street, Lebanon, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until Decem-

ber 31, 1960, and until her successor is duly appointed and qualified, vice Charles R. Young, Lebanon.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILADELPHIA STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy Marcucci, 2153 Mary Lane, Broomall, Delaware county, for appointment as a member of the Board of Trustees of the Philadelphia State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, vice John D. Scheuer, Jr., Springfield.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
DIXMONT STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Dixmont State Hospital, from June 21, 1957, for the term of four years and until their successors are appointed and qualified:

Frank C. Lewis, Beaver Falls, Beaver County.

Genevieve W. Settino, Esq., Ambridge, Beaver County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SELINGROVE STATE SCHOOL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clinton F. Bashore, Sr., Port Royal, Juniata County, for reappointment as a member of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
WARREN STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald E. Hittle, 315 Main Street, Sharpsville, Mercer County, for appointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
WEST CHESTER STATE TEACHERS' COLLEGE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert R. Batt, Villanova, Delaware County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, from June 21, 1957, until the third

Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul C. Moomaw, Waynesboro, Franklin County, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, from June 21, 1957, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
MANSFIELD STATE TEACHERS' COLLEGE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified.

R. W. Cook, Jr., 1511 North Second Street, Harrisburg, Dauphin County, vice Dr. Medill Bair, Morrisville.

Lloyd G. Cole, Blossburg, Tioga County. (Reappointment)

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James P. Boyle, 138 Tennis Avenue, Ambler, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Ambler, Montgomery County, until the first Monday of January 1960, vice Charles M. Norrett, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Klaswick, 244 South Church Street, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, until the first Monday of January 1960, vice M. J. Faraugh, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon R. Ormston, R. D. 1, Newton Square, Chester County, for appointment as Justice of the Peace in and for the Township of Willistown, Chester County, to serve until the first Monday of January 1960, vice Walter S. Perry, deceased.

DAVID L. LAWRENCE.



## JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adam H. Begel, 142 South Fifth Street, Lehighton, Carbon County, for appointment as Justice of the Peace in and for the Borough of Lehighton, Carbon County, to serve until the first Monday of January 1960, vice Joseph A. McGlynn, resigned.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Stevenson, P. O. 201 Sylvania Avenue, Rockledge, Philadelphia 11, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Rockledge, Montgomery County, to serve until the first Monday of January 1960, vice Mrs. Marie H. Carter, resigned.

DAVID L. LAWRENCE.

## BILLS SIGNED

The President (Lieutenant - Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 95, Printer's No. 1106; and  
Senate Bill No. 665, Printer's No. 1144.

REPORT OF COMMITTEE ON EXECUTIVE  
NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE BOARD OF TRUSTEES OF  
SLIPPERY ROCK STATE TEACHERS' COLLEGE

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Slippery Rock State Teachers' College:

N. Kerr Thompson, Slippery Rock, Butler County, from June 21, 1957, until the third Tuesday of January 1953, and until his successor is appointed and qualified.

H. Gale West, Slippery Rock, Butler County, from June 21, 1957, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
ASHLAND STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Barrett, 510 Jefferson Street, Pottsville, Schuylkill County, for reappointment as a member of the Board of Trustees of Ashland State Hospital, until the third

Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
POLK STATE SCHOOL

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Joyce, 608 South Ninth Street, Sharpville, Mercer County, for appointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Austin J. Donoughe, Sharon, deceased.

DAVID L. LAWRENCE.

## ALDERMAN

June 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Beahan, 74 Lunny Court, Carbondale, Lackawanna County, for appointment as Alderman in and for the Fourth Ward of the City of Carbondale, Lackawanna County, to serve until the first Monday of January 1960, vice James Farrell, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE LACKAWANNA COUNTY  
BOARD OF ASSISTANCE

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Fedorchak (Democrat), Scranton, Lackawanna County, for appointment as a member of the Lackawanna County Board of Assistance, from June 5, 1958, until December 31, 1960, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
WEST CHESTER STATE TEACHERS' COLLEGE

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of West Chester State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Mrs. Alice G. Chambers, West Chester County, from January 8, 1958.

Harry C. Symons, Pughtown, Chester County, from June 24, 1958.

DAVID L. LAWRENCE.

MEMBER OF THE BRANDYWINE BATTLEFIELD  
PARK COMMISSION

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara K. Turner, West Grove, Chester County, for appointment as a member of the Brandywine Battlefield

Park Commission, from October 17, 1858, for a term of four years and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

CONTROLLER IN AND FOR THE COUNTY OF BEAVER

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James F. Trees, Beaver Falls, Beaver County, for appointment as Controller in and for the County of Beaver, to compute from August 1, 1959, until the first Monday of January 1960, vice Richard F. Fulton, resigned.

DAVID L. LAWRENCE.

## SENATE CONCURRENT RESOLUTION

### TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, August 3, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 10, 1959 at TWO o'clock P.M., E.S.T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 10, 1959 at THREE-THIRTY o'clock P.M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY UNNECESSARY DUPLICATION AND OVERLAPPING OF FUNCTIONS IN THE PENNSYLVANIA LOCAL GOVERNMENT SYSTEM, NOT PROVIDED FOR BY THE CONSTITUTION

Messrs. MULLIN and SEYLER offered the following resolution (Serial No. 48), which was read and referred to the Committee on Rules:

In the Senate, August 3, 1959.

The local government system in Pennsylvania is a confused maze of unneeded, duplicated and overlapping functions and activities.

This tangled mess cannot be charged to any one person or group. Changed and improved methods of communication and transportation and economic development have rendered the present system inadequate to provide for our needs.

The tremendous surge of trivial and inconsequential local matters now requiring action at the State level is a symptom of a sick and ailing system.

No one can better testify about this serious condition than the overburdened taxpayer who must finance the sheer waste occasioned by unnecessary functions, frills and free-loading government employees. The public continue to point out and object to the multitude of overlapping political subdivisions and offices that continue to exist through the failure of local politicians to take any action to adjust to changed conditions.

The time has come to impartially investigate and take stock of the governing bodies of all political subdivisions not otherwise provided for in the Pennsylvania Constitution so as to enable the General Assembly to enact legislation which will create an efficient government.

Such an investigation and study by an agency of the State Legislature, which can give proper regard to pertinent facts and needs, and which can factually recommend

elimination of useless and wasteful activities will be a great and needed service of the entire Commonwealth; therefore, be it

Resolved, That the Joint State Government Commission be directed to investigate and study unnecessary duplication and overlapping of functions and unneeded activities in the Pennsylvania local government system not provided for by the Constitution with a view to eliminating wasteful, useless and unnecessary functions and activities; and, be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, together with drafts of legislation, to carry the recommendations into effect.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimitous consent for immediate consideration of the nominations reported at today's Session.

## EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

## MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Slippery Rock State Teachers' College:

N. Kerr Thompson, Slippery Rock, Butler County, from June 21, 1957, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

H. Gale West, Slippery Rock, Butler County, from June 21, 1957, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Barrett, 510 Jefferson Street, Pottsville, Schuylkill County, for re-appointment as a member of the Board of Trustees of Ashland State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Peter J. Joyce, 608 South Ninth Street, Sharpsville, Mercer County, for appointment as a member of the Board of



Trustees of Polk State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Austin J. Donoughe, Sharon, deceased.

DAVID L. LAWRENCE.

ALDERMAN

June 29, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Beahan, 74 Lunny Court, Carbondale, Lackawanna County, for appointment as Alderman in and for the Fourth Ward of the City of Carbondale, Lackawanna County, to serve until the first Monday of January 1960, vice James Farrell, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Fedorchak (Democrat), Scranton, Lackawanna County, for appointment as a member of the Lackawanna County Board of Assistance, from June 5, 1958, until December 31, 1960, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

July 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of West Chester State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Mrs. Alice G. Chambers, West Chester, Chester County, from January 9, 1958.

Harry C. Symons, Pughtown, Chester County, from June 24, 1958.

DAVID L. LAWRENCE.

MEMBER OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara K. Turner, West Grove, Chester County, for appointment as a member of the Brandywine Battlefield Park Commission, from October 17, 1958, for a term of four years and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

CONTROLLER IN AND FOR THE COUNTY OF BEAVER

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James F. Tress, Beaver Falls, Beaver County, for appointment as Controller in and for the County of Beaver, to com-

pute from August 1, 1959, until the first Monday of January 1960, vice Richard F. Fulton, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Kopriver, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1530, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. ) No. 32 by providing that no registration plates shall be issued to any person who has failed to pay for previously issued plates.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1530, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1530, recalled from the Governor.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1665, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) clarifying the term "child" or "children when it is used to indicate their entering or leaving a school bus.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1665, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1665, recalled from the Governor.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that Senate Bill No. 170, Printer's No. 1053, on currence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 328, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," extending the jurisdiction of borough policemen to include property outside the borough owned or controlled by the borough.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarra,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 163, Printer's No. 954; and

Senate Bill No. 321, Printer's No. 346.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER TEMPORARILY

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 323, Printer's No. 505, on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 463, entitled:



An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected . . ." requiring memorial halls to contain rooms for meetings of the Italian American World War Veterans of the United States Incorporated and further regulating the composition of the board of control of the memorial hall.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 464, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Stevenson,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 465, entitled:

An Act amending the act of April 8, 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the peddling of labeled flowers of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 469, entitled:

An Act amending the act of August 8, 1955 (P. L. 323) entitled "The County Code" providing rooms for use of the Italian American World War Veterans of the United States Incorporated and for its membership on the board of control.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 703, Printer's No. 1143, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 719, entitled:

An Act authorizing the display of the American War Mothers' banner on the main building of the State Capitol of the Commonwealth on Veterans' Day.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. EHRGOOD. Mr. President, on behalf of Senator Watkins and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1001), page 4, line 12, by striking out "one twenty-fourth (1/24)" and inserting: "one twenty-fifth (1/25)"

Amend Sec. 1 (Sec. 1001), page 4, line 13, by striking out "ONE TWENTY-FOURTH (1/24)" and inserting: "one twenty-fifth (1/25)"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill no third reading, as amended?

### BILL OVER IN ORDER

Mr. EHRGOOD. Mr. President, I ask unanimous consent that Senate Bill No. 810, Printer's No. 1010, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 828, entitled:

An Act amending the act of June 17, 1913 (P. L. 507) entitled "Intangible Personal Property Tax Law" providing that the tax shall not apply to property held in certain trusts established by individuals for retirement purposes.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, we have discussed these bills on other occasions and, therefore, I will not take the time of the Senate to review them again. However, I do wish to mention, in passing, that Senate Bill No. 828, Senate Bill No. 829 and Senate Bill No. 830 are bills which are keyed to Federal legislation, primarily the Smith-Keogh Act which would provide that people who are self-employed could set aside a certain sum of money, up to the amount of \$2,500, to provide sort of pension or welfare fund for themselves. Although that is a laudable purpose—and it is maybe even necessary in some of these persons' cases, despite the fact that they are also entitled to Social Security—you are removing from the local communities the taxables which are available for the school districts in the Philadelphia area. Senate Bill No. 828 is directed against Philadelphia, even though it does not specifically state as such. It just states that this bill applies to cities which are co-extensive with counties. The only area which that applies to is the city of Philadelphia, where the city and the county are one and the same thing.

When you remove this amount of money, which is available for tax purposes to the school districts or to the local area, you are not giving anything in these bills, nor do I see any bills on the Calendar, nor have I seen any bills introduced up until the end of business last week, that would provide for the community that is being deprived of this taxable amount of personal property getting any kind of relief in any other way.

I would like to ask the Members of the Senate how they will provide for this lack of tax money which they are going to take from the city of Philadelphia. Our school



district has stated that it is now in the position where it needs \$13,000,000 of new money, which it is not going to receive. It is looking for personal property as a means of raising some of that revenue. If you remove that, on top of the \$13,000,000 burden that it already feels that it does not have, how are we going to be able to meet these problems that will recur?

I think all of us should be interested, as Members of this Senate and serving on the board of directors of this Commonwealth, in how these children are to be educated. How are we going to provide further income or increments for our schoolteachers? How are you going to have school buildings erected to take care of their problems? Senate Bill No. 828 applies to school districts of the first class and Senate Bill No. 829, which is the same as Senate Bill No. 828, goes on to take care of first class A districts. Therefore, no one is exempt in this area, except those areas which do not already have the tax. If some of these other local areas decide to levy a tax based on personal property, this bill will already have removed from them the taxables.

I think the Republican Caucus had the benefit of calling before it the members of the State Tax Equalization Board to explain to them the problem that they are having and part of the formula or formulae in arriving at reimbursement taxables and realty taxables, which have been removed from some areas and have hurt some of the areas as a result of being removed. Senate Bill No. 828, Senate Bill No. 829 and Senate Bill No. 830 are part of the very problem which is causing difficulty in some of the school districts where they already have problems now. You are now taking some of the school districts, which are struggling along on their own local effort to get along, and saying to them, "We are going to remove further from you that area that you can move into to help yourself."

I think this is inequitable taxation. I think this is inequitable as far as the school districts are concerned I cannot be for this legislation and I ask my colleagues to be against it unless some other bills are introduced, which could go along with these, to provide the revenue that these bills are going to take away from these areas.

Mr. BERGER. Mr. President, as we stated here last week, these bills are keyed into the Federal legislation, known as the Keogh Bill, and, as we also said last week, the Federal legislation could pass while we are out of Session and we would not be prepared for it by this type of tax relief to this type of trust. However, I don't recall that any such argument was raised against the elimination from taxation of this type of security in trust which were established for employee benefits, and I am sure that the amount of money in this type of trust would be far, far less than the amount of money included in the employee type.

So, Mr. President, my suggestion is that these bills be passed on the Calendar and sent to committee in the House, and if the Federal legislation is passed, I am sure that the committee in the House will see the wisdom of passing these bills there.

Mr. WEINER. Mr. President, I would like to ask if anyone in this Senate can tell us the amount of money that this will cost the local areas if this legislation is enacted. My reason for requesting this information is that, as some of you remember, when the Federal Government original-

ly considered the legislation which covered the local health plans, we went ahead in this State and enacted the health plans. Some of the counties undertook, under this Act, to further fulfill their obligations under this plan, and this is now costing the State a great deal of money. Of course, the gimmick in the story is that the Federal Government never did enact this legislation, enabling these areas to do it, and we now find ourselves faced, in the counties, with providing money for these local areas which have seen fit to go ahead, based on what the Federal Government and the Federal Congress were going to do and never saw fit to act upon.

Now are we again doing this type of thing and again getting into the position where our local areas perhaps are not going to get this money back, and taking away this area into which they can move?

Now I would like to find out if anyone on the other side, or anybody in this Senate, knows how much this will cost the local areas, and how much we should provide for this in the budget to take care of these areas that are losing this revenue.

Mr. BERGER. Mr. President, I am sure the Senator did not wish a definitive answer to such a question because I know that he realizes, as well as everybody realizes, that there is no possible answer to it. Nobody knows who many of these trusts would be established, or how many of these employee benefit trusts would be established, under this legislation or under the Smith-Keogh Act of the Federal Congress. Therefore, Mr. President, I do not believe that the gentleman expected to get an answer when he asked the question.

Mr. President, answering the other statement made by the Minority Leader, it is equally apparent that even though the Federal legislation might not pass, this might be a laudable result but I am quite certain that these bills will not pass if the Federal Act does not pass also.

Mr. WEINER. Mr. President, I do not want to get into a political argument here, but I hope it is just a coincidence that last week we removed the wage tax and this week we are in the Philadelphia area, and some of the other areas that use it, and we are passing legislation to take away the tax on personal property which the city of Philadelphia and the school districts in that area have come to look to as a means of providing revenue for them.

I hope this is just a coincidence and not a pattern or course of conduct.

Mr. BERGER. Mr. President, I assure the gentleman that it is purely a coincidence.

Mr. MAHADY. Mr. President, I wish to draw to the Senate's attention at this time the fact that when we passed a series of Acts here before, removing taxes from the counties and also concerning retirement, each time we asked, "How much does this cost?" we were not told how much it would cost. They said, "No, we do not have an answer for it."

The answer is that any Act that is passed, the consequences of it should be studied. Tables are available for life insurance, even though we do not know who is going to die. However, we know a certain number should die, and certainly there are figures—and I have seen them—and certainly the other side of the aisle have looked at them, too. I assumed that they would have looked at them before they proposed this legislation, and certainly it is our duty to look at the amount of taxes which we are

removing from the various subdivisions of the Commonwealth when we take action.

The second thing I say to you—and I say it to the Majority Leader with all respect and humility—is that we were promised, when we sent things to the House, and I can mention them by name if he cares for me to do so, that they would be held, but they were passed. The best way to insure what you have promised, which is that this will await Federal action, is to hold it in this Body until such time as we are called upon and there is a need for it.

I notice on the Calendar today, even on Second Reading, that we are trying to anticipate even constitutional amendments. The fact that we are now trying to anticipate legislation before there is a need for it is, indeed, not only a waste of time, but a waste of speculation. Particularly, the sin of spending money or removing available taxes when you don't know how much it is going to cost the body of this Commonwealth is something that should not be undertaken lightly by this Senate.

For that reason, and that reason alone, I will vote "no" at this time.

Mr. MULLIN. Mr. President, I do not see any reason why, because the Federal Government is going to exempt some personal property for retirement purposes from taxation, the Commonwealth of Pennsylvania has to follow suit. The Federal Government has many inequitable exemptions and it has plenty of money to operate with, but the Commonwealth of Pennsylvania and its subdivisions certainly are very short of operating funds.

Therefore, I intend to vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

#### NAYS—16

Barr,	Kalman,	Mullin,	Seyler,
Camel,	Lane,	Murray,	Silvert,
Donolow,	Mahady,	Rooney,	Stiefel,
Hays,	McCreesh,	Sarra,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### REASON FOR VOTE

Mr. LANE. Mr. President, I would like to put into the record my reasons for voting "no" on this particular piece of legislation, if I have your permission.

The PRESIDENT. Do you wish to state your reasons at this time, Senator Lane?

Mr. LANE. Yes, if I may, Mr. President.

The PRESIDENT. The Chair hears no objection. You may proceed.

Mr. LANE. Mr. President, the reason I voted "no" in regard to this particular legislation is because, under the

present law, the counties are now in a financial strait jacket. If the time would ever come when this Legislature would permit the county governments to set the millage on personal property like they do on real property, I would have voted for this legislation. However, this takes away a considerable sum of money from the various counties, and actually, right now, the counties need the money.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 829, entitled:

An Act amending the act of May 23, 1949 (P. L. 1676) entitled as amended "An Act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property \* \* \*" providing that the tax shall not apply to property held in certain trusts established by individuals for retirement purposes.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MULLIN. Mr. President, I desire to have my vote against this bill recorded since this is one of the many instances of greasing the fat hog, which seems to be so popular with the Majority Party in this Senate. I wish to vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

#### NAYS—17

Barr,	Lane,	Murray,	Seyler,
Camel,	Mahady,	Ripp,	Silvert,
Donolow,	McCreesh,	Rooney,	Stiefel,
Hays,	Mullin,	Sarra,	Weiner,
Kalman,			

A majority fo all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 830, entitled:

An Act amending the act of June 20 1947 (P. L. 733) entitled as amended "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property \* \* \*" providing that the tax shall not apply to property held in certain trusts established by individuals for certain purposes.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

## NAYS—17

Barr,	Kalman,	Mullin,	Sarra,
Camel,	Lane,	Murray,	Seyler,
Donolow,	Mahady,	Ripp,	Silver,
Hays,	McCreesh,	Rooney,	Stiefel,
			Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 879, Printer's No. 1034;  
Senate Bill No. 880, Printer's No. 1035;  
Senate Bill No. 881, Printer's No. 1036; and  
Senate Bill No. 915, Printer's No. 1078.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1080, entitled:

An Act amending the act of May 23, 1945 (P. L. 913), entitled "Professional Engineers Registration Law" providing for biennial registration.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, next to last line of Title, by inserting after "laws": "authorizing registration of certain qualified persons without examination and"; Amend Sec. 1, page 2, lines 1 and 2, by striking out "Subsections (g) and (h) of section 4 the first paragraph of section 8 and sections 9 and 10" and inserting: "Clause (1) of subsection (b) of section 4"; Amend Sec. 1, page 2, line 3, by striking out "are" and inserting: "is"; Amend Bill, page 2, by inserting between lines 3 and 4: "Section 4. General Powers of Board.—The board shall have power — \* \* \* "(b) Licensing Professional Engineers.—To provide for and to regulate the licensing, and to license to engage in the practice of engineering any person of good character and repute who is a citizen of the United States, or has declared his intention of becoming a citizen thereof, at least twenty-five years of age, and who speaks and writes

the English language, if such person either— "(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state in which the requirements and qualifications to engage in the practice of engineering [are at least equal to the standards of this Commonwealth] were at the time of the initial issuance of such license or certificate of registration at least equal to the then existing standards of this Commonwealth: Provided, however, That such other state or territory shall similarly license or register professional engineers licensed and registered in this Commonwealth. A person may be licensed under this subdivision without examination. \* \* \* "Section 2. Subsections (g) and (h) of section 4, the first paragraph of section 8 and sections 9 and 10 of the act are amended to read:" Amend Sec. 2, page 5, line 12, by striking out "2" and inserting: "3".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1080, Printe's No. 1163, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1881, entitled:

An Act amending the act of April 8, 1937 (P. L. 262), entitled as amended "Consumer Discount Company Act," further regulating the granting of licenses and providing for appeals.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 12), page 3, lines 5 and 6 by striking out "Court of Common Pleas of Dauphin County" and inserting: "court of common pleas of the county where in the applicant resides."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1881, Printer's No. 1189, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1936, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" designating the lake area on which motor boats may be operated and providing penalties.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confar,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarraf,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,

#### NAYS—2

Fleming, Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### EXCHANGE STUDENTS PRESENTED TO SENATE

Mr. EHRGOOD. Mr. President, I would like to take this time to introduce two distinguished visitors we have in the Senate of Pennsylvania. They are two exchange students, one from Holland and one from Pakistan. The one student is Mr. A. G. J. Scheepers, from Holland, and he is an exchange student with the Kiwanians of Pennsylvania, particularly of Lebanon County. The other is Mr. Syed Hamid Raza, of West Pakistan, and he is with the Rotary Club of Lebanon County.

I think it is a great tribute to the democratic process that these exchange students are coming over here to the United States and, perhaps, witnessing worthy debate here in the Senate of Pennsylvania.

These guests are seated in the rear of the Chamber. The PRESIDENT. On behalf of the Senate, I am very happy to welcome you gentlemen to the Senate Session. Thank you for coming.

### BILLS INTRODUCED AND REFERRED

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STEVENSON and WAGNER read in place and presented to the Chair, Senate Bill No. 1034, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," requiring the use of 1959-1960 valuations in determining reimbursement fractions for the 1960-1961 school year.

Which was committed to the Committee on Education.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in place and presented to the Chair, Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the act to municipality authorities.

Which was committed to the Committee on Local Government.

Mr. LANE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. LANE and STEVENSON read in place and presented to the Chair, Senate Bill No. 1036, entitled :

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, providing that each county, city, borough, incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

Which was committed to the Committee on Constitutional changes and Federal Relations.

### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, last week Senator Wade and I discussed the problem of having motor vehicles operated by the State Police painted white, and we more or less agreed. Therefore, I am happy, indeed, to read in place and present this bill, on behalf of Senator Sarraf, Senator Donolow, Senator Ehrgood, Senator Camiel, Senator Wade, who is Chairman of the Highways Committee, and myself. I hope that the committee will report this bill to the floor promptly.

### BILLS INTRODUCED AND REFERRED

Messrs. LANE, CAMIEL, EHRGOOD, DONOLOW,



WADE and SARRAF read in place and presented to the Chair Senate Bill No. 1037, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

Which was committed to the Committee on Highways.

## SECOND READING CALENDAR

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act amending the act of June 11 1947 (P. L. 565) entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation and making an appropriation.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendments:

Amend Sec. 2, page 3, line 2, by striking out "Section 2 The Sum Of Forty-One."

Amend Sec. 2, page 3, by inserting between lines 2 and 3, indented as for a paragraph: "Section 2. The sum of forty-one."

Amend Bill, page 3, by inserting after line 12: "Section 3. This act shall take effect immediately."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL POSTPONED

Mr. BERGER. Mr. President, I move that House Bill No. 1, on second reading, as amended, be placed on the Second Reading Postponed Calendar.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I would like someone to tell me, as a point of information, why this bill is being put on the Postponed Calendar.

The PRESIDENT. Will Senator Berger permit himself to be questioned?

Mr. BERGER. I certainly will, Mr. President.

Mr. WEINER. Mr. President, I would like to know, as a point of information, why this bill is being put on the Postponed Calendar.

Mr. BERGER. Mr. President, the reason this bill is being put on the Postponed Calendar is that it has been on the Calendar for a long time and we are not ready to pass it, as yet. It has just been amended today, and it has to be polled everyday for the Caucus calendar and it would repose more comfortably on the Second Reading Postponed Calendar.

Mr. WEINER. Mr. President, I want to thank the gentleman, and hope that the bill does repose just as easily on the Second Reading Postponed Calendar. However, I think it would repose a lot better on the Third Reading Calendar tomorrow morning, if it had an opportunity to do so.

I think this is necessary legislation to complete the World War II bonus distribution, and that is the reason I am asking that it be moved along in the general channels of legislation. It is a House Bill, and it passed the House at quite an early date. Unless there is some compelling reason to hold up this bill, I think it should receive immediate action or some action.

Mr. BERGER. Mr. President, to amplify my answer to the gentleman, I will say that there is some question in the minds of some of the Senators as to why it will take about \$41,000 to process about four or five applications. When we find that out, I am sure we will be ready to move the bill.

Mr. WEINER. Mr. President, I do not want to delay unduly the vote on this important measure. I think that the \$41,000 will only take care of a few applications, cannot be used for any other purpose and I am sure it will be returned to the General Fund.

I feel that rather than make the bold statement that the \$41,000 will only take care of a few applications, we really should try to ascertain how many applications are pending. I do not think that anyone sitting on the other side would like to deprive anyone of receiving what is justly due him, or what we have indicated by law is due him, just because there is not enough money to process his application.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 141, Printer's No. 489, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 280, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 492, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for estimated semi-annual payments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 497, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" making the school at Cheyney a State Teachers' College in the First State Teachers' College District.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 523, on second reading, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" authorizing councils in cities of the first class to regulate the speed of motor vehicles using certain streets and highways within such cities. be recommitted to the Committee on Highways.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, before, when I stated that it was merely a coincidence that one bill follows after another here, which seems rather—I would not say it is discriminatory against Philadelphia, but it just seems to completely do away with some of its rights and prerogatives. I fail to see that after the third bill is recommitted, it could even be a coincidence. I am beginning to think that this is by design.

How Senate Bill No. 523 will upset anyone is beyond my comprehension. I believe I spoke to the Chairman of the Committee on Highways, and went through this matter with him rather thoroughly. I do not understand how letting the city of Philadelphia regulate its own streets and the speed on those streets can possibly affect the rest of the Commonwealth or in any way have anything to do with it.

Maybe it is a dubious impression that I am under, but I was under the impression that Philadelphia had home rule. I do not see where this is inconsistent with its having home rule, if it can provide for the speed which people can travel on the highways or streets going into and out of Philadelphia. We have even concerned ourselves with the limited access highways and we are even concerned that we do not touch any of the highways which go through the city and, therefore, we have nothing to do with that at all.

I believe, if you look at the bill, you will see that this is all subject to the approval of the Department of Highways. I cannot understand how, by having our City Council in the city of Philadelphia take care of a matter which is purely a Philadelphia matter, this can possibly upset the over-all picture in the Commonwealth or how this could be of great concern or of a great moment to the rest of the citizens of this Commonwealth.

If someone can answer that, I would be very pleased to hear from them.

Mr. BERGER. Mr. President, I assure the gentleman, again, that this is purely coincidental.

The opinion of a number of the people discussing this bill appeared to be that it would conflict with the regulatory measures of the Vehicle Code to permit one municipality to set up its own regulations as to the speed and so forth upon its streets. They said that it quite likely could be extended to second class, third class, second class A, boroughs, townships and they might, with justification, ask for the same privilege.

However, Mr. President, I want to assure the gentleman that I know that the committee will give this further study. If they find that it does not conflict seriously with the provisions of the Vehicle Code, they will undoubtedly cause its reappearance upon our calendar at an early date.

Mr. WEINER. Mr. President, I was listening very carefully to what the gentleman said. I would like to know when this reappearance is going to be. I do not hope that we are going to be here a long time, but I would like to point out that this bill was read for the first time on June 30, 1959. It was referred to committee back on March 31, 1959.

The bill is rather simple. I do not think it would take a great deal of reading or a great deal of investigation to come to a conclusion, in order to approve or disapprove this matter.

As a matter of fact, I had the President of our City Council present in this Chamber last week and he spoke to the Chairman of the Committee on Highways, Senator Wade. He went through this matter with him quite carefully. I, therefore, cannot understand what is causing the confusion. If the Chairman of the Highways Committee will tell me when he is going to have his meeting, in order for me to be present and bring whatever experts he might need to go through this matter, I shall be most happy to do so.

This bill has been on our Calendar for quite some time and has received little or no study. Now it is being sent back to committee, summarily, without any further ado.

I think there has been very little done in the way of taking care of some of the problems which we, in the big city, face. Other than Pittsburgh, Philadelphia is really the big city in this Commonwealth. If it is the desire of this Body to punish the city of Philadelphia because it happens to be a large city, I think this is as good a way to do it as any. This, along with the other measures that have been taken, is a good beginning. I do not see that this, particularly, will help the problem. I think if the people who live in and around the surrounding areas of Philadelphia were to give this matter some thought, they would see that this was for their own safety and their own welfare. Unfortunately or fortunately, as they see fit, some of the people must come into the city of Philadelphia to transact some of their business and even earn a livelihood there. I cannot see how this will militate against anything they want to do. I cannot see how this will militate against any of the problems which they might have in their own local communities. If they saw fit in the borough, township or any other type of municipality to take such stands that they felt were desirous in helping their own situation, I do not see how we could do anything except to vote for it to help them. I cannot understand how, by passing this type of legislation, it will



militate against them, except that it will help the city of Philadelphia and that might be in its disfavor.

Mr. BERGER. Mr. President, I do wish the city of Philadelphia, through its spokesman, were not quite so sensitive. As a matter of fact, I think that the reasons which were given for recommitting this bill were very fair reasons.

In addition, Mr. President, there is no provision in the bill whereby the public would have any notice of any difference between the regulations and the laws of Philadelphia and the regulations and the laws of the Commonwealth of Pennsylvania, under which they customarily travel. If the Senator could prepare some amendments which would provide for adequate notice as to how people would be informed of the differences, quite likely this bill would be acceptable. I have no particular criticism of the bill, but if those changes were to be put into it, I am sure, as I said before, that it would be carefully considered by the committee.

Mr. WEINER. Mr. President, I think that problem is a rather simple one, without my putting any amendments into the bill. Most streets are posted.

One of the problems which this bill is addressing itself to—and I would like to bring this very respectfully to your attention—is that there are many people who receive tickets in the city of Philadelphia, with a notation on the tickets which say, "Too fast for conditions." This is not only confined to the people who live in Philadelphia. That is a punishable offense. It is one which is reported up here at the State Capitol. It also goes toward any individual who may be in jeopardy of losing his licenses. This may be the third offense that causes him to lose his license. If those streets and areas were posted properly and everyone would note this, the policeman or the low enforcement officer would have to state what the speed was, in order to indicate why he considered it too fast for conditions. As it is now, all you have is a conclusion or an opinion by an officer. This officer may or may not come to the right conclusion as a result of what he saw.

This would only help to further define and clarify what the situation is today in that area.

Mr. BARR. Mr. President, this may not be just exactly what is in this bill, but I just want to say to the Members of the Senate, on both sides, that in the congested areas of all of our cities, countless accidents are occurring day after day. I do not mean that they just occur on the thoroughfares and the highways which go through the cities. I am talking about the side streets. As of today, as you know, there are cars parked along the streets, one after another. If we do not do something to cut down the speed on these side streets, we are victimizing our young people. No matter how strenuous the parents work on these children to keep them from darting out in the streets, they will do it for their ball or on their tricycle or something else, no matter where it be.

I have several letters here from the President Judge of the Orphans Court back home. I have two bills in my desk and I am having a third one drawn, drawing attention to the fact that we must do something to give the local officials the power to regulate the speed on side streets. I am not talking now about Fairmount Park, in Philadelphia, or Fifth Avenue, in Pittsburgh. I am talking about Fisk Street, Seneca Street or any of the side

streets. We must give these borough councils or township officials power to regulate the speed on these side streets in order to save the youth of our Country.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. TAYLOR and were as follows, viz:

#### YEAS—26

Berger,	Keller,	Propert,	Wade,
Blass,	Kessler	Scott,	Wagner.
Chapman,	Koprivier, Jr.	Shafer,	Walker,
Ehrgood,	Kromer,	Stevenson,	Watkins,
Elliott,	Madigan,	Taylor,	Whalley,
Fleming,	Mallory,	Van Sant,	Wolfe,
Harney,	Pechan,		

#### NAYS—16

Barr,	Kalman,	Mullin,	Seyler,
Camlel,	Lane,	Murray,	Silvert,
Donolow,	Mahady,	Ripp,	Stiefel,
Hays,	McCreesh,	Sarra,	Weiner,

So the question was determined in the affirmative.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 543, Printer's No. 579;

Senate Bill No. 573, Printer's No. 1200, and

House Bill No. 621, Printer's No. 1220.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 623, entitled:

An Act amending the act of June 24 1939 (P L 872) entitled "The Penal Code" prescribing penalties for using obscene or offensive language over telephones.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendment:

Amend Sec. 1 (Sec. 414.1), page 2, line 6 by inserting after "language": "or whoever telephones another person repeatedly for the purpose of annoying molesting or harassing such other person or his or her family."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. VAN SANT offered the following amendment:

Amend Title, page 1, fourth line of Title by inserting after "or:" "repeatedly by telephone, annoying, molesting or harassing another."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

**BILL OVER IN ORDER**

Mr. VAN SANT. Mr. President, I ask unanimous consent that House Bill No. 623, Printer's No. 825, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

**BILL OVER IN ORDER**

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 650, Printer's No. 615, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

**BILL ON SECOND READING**

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 814, entitled:

An Act amending the act of May 15 1933 (P L 624) entitled as amended "Banking Code" further providing for making loans on the security of bonds of notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

The first section was read.

On the question,

Will the Senate agree to the section?

**MOTION TO POSTPONE BILL**

Mr. MAHADY. Mr. President, I move that this bill be placed on the Second Reading Postponed Calendar.

Mr. SEYLER. Mr. President, I second the motion?

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I will ask my colleagues to vote "no" on this motion.

A voice vote having been taken, the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

**BILL OVER IN ORDER**

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 942, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

**BILLS ON SECOND READING**

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10 1951 (P L 1163) entitled as amended "Orphans' Court Act of 1951" divesting the Orphans Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11 1911 (P L 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . . further providing for the taking of exceptions to rulings of the trial judge.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SILVERT. Mr. President, I should like to call the Senate's attention to a clerical error on page 2 of this bill, at line 15. It reads as follows:

" . . . but immediately succeeding such ruling the official stenographer shall not . . ."

"Note" is the word intended and, as printed, it is misspelled. It is spelled "n-o-t" in the bill.

I believe calling this to the attention of the Senate in this way will obviate the necessity of a formal amendment. The word should be "n-o-t-e," on line 15.

Mr. BERGER. Mr. President, Senator Silvert's observation is entirely correct. I suggest to the Senator that we let the bill pass and amend it on Third Reading.

Mr. SCOTT. Mr. President, in checking, the word is spelled correctly in the original bill, and I think that will take care of the situation.

The PRESIDENT. It could, of course, be taken care of in statutory construction.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

**BILLS OVER IN ORDER**

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 891, Printer's No. 1046, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 901, Printers' No. 1057, and  
Senate Bill No. 902, Printer's No. 1201.



The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 911, entitled:

A Act amending the act of March 31 1860 (P L 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 939, entitled:

An Act amending the act of May 1 1933 (P L 103) entitled "The Second Class Township Code" providing for the annexation of cities and boroughs or parts thereof and the adjustment of indebtedness connected therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

### BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 971, Printer's No. 1140; and

Senate Bill No. 972, Printer's No. 1141.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 981, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" changing provisions relating to attending high schools in non-resident districts and to the payment of tuition..

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 983, Printer's No. 1155, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 984, entitled:

An Act amending the act of April 29 1959 (Act No. 32) entitled "The Vehicle Code" requiring certain school districts to provide chaperons on school buses in certain cases.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. SEYLER and WADE offered the following amendments:

Amend Sec. 1, page 2, line 2 by striking out "Act (No. 32)" and inserting: "(P. L. 58)"

Amend Sec. 1 (Sec. 840), page 2, line 11 by inserting after "bus"; "commercial motor vehicles, motor bus or motor omnibus"

Amend Sec. 1 (Sec. 840), page 2, line 12 by striking out "bus" and inserting: "such vehicle"

Amend Sec. 1 (Sec. 840), page 2, line 13 by striking out "an" and inserting: "at least one"

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. SEYLER and WADE offered the following amendments:

Amend Title, page 1, first line of Title by striking out "(Act No. 32)" and inserting: "(P. L. 58)"

Amend Title, page 1, last line of Title, by striking out "on school buses" and inserting: "when transporting school children"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1028, entitled:

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1029, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### RECONSIDERATION OF HOUSE BILL No. 1029

Mr. PECHAN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1029, Printer's No. 1221, just passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

Mr. BLASS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BLASS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the first section of the bill?

### BILL ON SECOND READING AMENDED

Mr. PECHAN, on behalf of Mr. BERGER, offered the following amendment:

Amend Sec. 1 (Sec. 201), page 2, line 10, by striking out "a" and inserting: "A".

It was agreed to.

The section was agreed to as amended.

And the question recurring,

Will the Senate agree to the second section?

Mr. PECHAN, on behalf of Mr. BERGER, offered the following amendments:

Amend Sec. 2, page 3, line 7, by inserting after "2": "subsections (a) and (b) of."

Amend Sec. 2, page 3, line 7, by striking out "OF" where it appears the first time.

Amend Sec. 2 (Sec. 203), page 4, line 8, by removing the underscoring beneath "OF".

They were agreed to.

The section was agreed to as amended.

And the question recurring,

Will the Senate agree to the third and fourth sections and title?

They were agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### MOTION TO POSTPONE BILL

Mr. MAHADY. Mr. President, I move that this bill be placed upon the Second Reading Postponed Calendar. I cannot see, even if you pass this, what effect it would have. It is certainly news to me that you can amend the Constitution and say that a law passed prior to the amendment, which was unconstitutional, is now applicable. We are certainly standing on our heads and acting like Alice-in-Wonderland in this matter. I do think that we are so premature that this is not even a bill which is up to the dignity of this Senate.

Mr. President, I would like to ask the chairman of the committee, who reported House Bill No. 1028 and House Bill No. 1029, why there is a hurry on these two bills.

The PRESIDENT. Will Senator Berger permit himself to be interrogated?

Mr. BERGER. Mr. President, I am not the chairman of the committee, but I will. I yield to Senator Wagner.

The PRESIDENT. Senator Wagner, will you permit yourself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. MAHADY. Mr. President, I want to know why these two bills, first, are considered necessary and, second, why is there such a hurry for them.

Mr. WAGNER. Mr. President, I am not sufficiently familiar with the bills to debate them and I do not think we need debate them on Second Reading. However, I might throw a little light on the subject.

Both of these bills amend the School Code so that we can set up the machinery to implement the constitutional amendment which will be voted on in November. House Bill No. 1028 amends the Public School Code of 1949 to increase the borrowing power of Philadelphia and Pittsburgh from two to five per cent, and the borrowing power of other school districts up to fifteen per cent, with the approval of the electorate.

In House Bill No. 1029, the Municipal Borrowing Law is amended, the Act of 1941, to make the Municipal Borrowing Law conform to the Public School Code. Then the school districts of Philadelphia and Pittsburgh will have the authority to borrow up to five per cent under the Municipal Borrowing Law.

This has to be done, and it cannot very well be done, Mr. President, between Sessions. The constitutional amendment to which the Senator refers, which has passed two Sessions of the Legislature, will be on the ballot in November. This legislation will set up the machinery which is necessary to carry on the program. It cannot wait until the next Session of the Legislature. That is why, in the bill, it is stated that this legislation shall apply in Article IX, Section 8, of the Constitution of Pennsylvania, as amended, to permit the increase of the debt limit of school districts.

When I say I am not in a position to debate the bill, I mean, I do not know; I am not a lawyer. I have not had legal counsel as to whether we can pass this constitutional amendment and go into this without this legislation.

However, certainly the people who are most affected and the people who are most eager to take advantage of this constitutional amendment are persuaded—I am talking particularly about the school people in Philadelphia—that this legislation is a must at this Session.

### MOTION TO POSTPONE BILL WITHDRAWN

Mr. MAHADY. Mr. President, in that case, I withdraw my motion, with the proviso that before we consider this bill on Third Reading, we take up the matter with the Attorney General to see if this would be in order.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1035, Printer's No. 291, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1099, entitled:

An Act amending the act of May 22, 1951 (P. L. 317)



entitled "The Professional Nursing Law" providing for biennial registration.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN, on behalf of Mr. BERGER, offered the following amendment:

Amend Section 2, page 3, line 1, by striking out "two dollars (\$2)" and inserting in lieu thereof: "four dollars (\$4)."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1224, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 23 acres more or less of land situate in Collier Township Allegheny County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1305, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Bill, page 8, by inserting after line 3: "Section 3. This act shall take effect immediately."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1374, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing certain exemptions from taxation under the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1375, entitled:

An Act amending the act of May 17, 1921 (P. L. 789) entitled as amended "The Insurance Department Act of 1921" imposing restrictions upon payment or division of commissions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1389, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" changing provisions relating to non-forfeiture benefits and cash surrender values required in life insurance policies and providing for an age set-back in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1390, entitled:

An Act amending the act of May 17, 1921 (P. L. 789) entitled as amended "The Insurance Department Act of 1921" further regulating the computation of the reserve liability of life insurance companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1391, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis for group policies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1507, Printer's No. 588, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" extending the use of manufacturer's jobber's and dealer's registration plates.

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

Agreeably to order,  
The Senate proceeded to the second reading and consideration of House Bill No. 1818, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "Statutory Construction Act" changing the computation of time in certain respects.

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

Agreeably to order,  
The Senate proceeded to the second reading and consideration of House Bill No. 1819, entitled:

An Act amending the act of June 20, 1883 (P. L. 136) entitled "An act to regulate the computation of time under statutes rules orders and decrees of court and under charters and by-laws of corporations public and private" changing the computation of time in certain respects.

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 323 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 2 of today's Third Reading Calendar, House Bill No. 323, Printer's No. 505, which previously went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 323, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code," extending the time in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidences of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business.

And said bill having been read at length the third time,  
On the question,  
Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer an amendment at this time.

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 9 (Section 1001), page 12, lines 19 and 20, and page 13, lines 1 to 4, by striking out all of said lines.

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

On the question,  
Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 323, Printer's No. 505, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 621 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 8 of today's Second Reading Calendar, House Bill No. 621, Printer's No. 1220, which earlier today went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,  
The Senate proceeded to the second reading and consideration of House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of laws relating to safety in the bituminous coal mines and the preparation of a modern code relating thereto.

The first section was read.

On the question,  
Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1, page 2, line 13, by striking out "ASSOCIATIONS REPRESENTING THE" and inserting: "underground"; Amend Sec. 1, page 2, line 18, by striking out "AGENT OR AGENTS" and inserting: "agency."

They were agreed to.  
The section was agreed to as amended.  
The second section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. BERGER offered the following amendment:

Amend Sec. 2, page 3, line 7, by striking out "SAFETY IN the" and inserting: "underground."

It was agreed to.  
The section was agreed to as amended.  
The third and fourth sections were read and agreed to.  
The title was read.  
On the question,  
Will the Senate agree to the title?  
Mr. BERGER offered the following amendments:

Amend Title, page 1, second line of Title, by inserting after "of": "all"; Amend Title, page 1, second and third



lines of Title, by striking out "SAFETY IN THE" and inserting: "underground."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 703 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 3 of today's Third Reading Calendar, Senate Bill No. 703, Printer's No. 1143.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 703, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" providing that title to property taken by eminent domain may be vested in an Authority by order of court upon filing of a bond.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by striking out "filing a bond" and inserting; "payment of seventy-five per cent of the appraised value of such property"; Amend Sec. 1 (Sec. 12), page 3, line 8, by inserting after "the" where it first appears in said line: "complete"; Amend Sec. 1 (Sec. 12), page 3, line 9, by striking out "filing of a bond by the"; Amend Sec. 1 (Sec. 12), page 3, lines 9 and 10, by striking out "in such amount as the court shall determine BUT" and inserting; "paying."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 703 Printer's No. 1143, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### PETITIONS AND REMONSTRANCES

Mr. BARR. Mr. President, a few minutes ago when I was talking about the opposition sending Senate Bill No. 543 back to committee, I spoke about the restraint that we must use in the municipalities to halt the killing of adults and children on side streets in the various municipalities. I want to read an article from today's Pittsburgh Post-Gazette, of this morning. It says:

"Residential Area Speed Cuts Proposed. Judge Boyle Starts Campaign Against Pedestrian Deaths.

"President Judge Hugh C. Boyle of Orphans Court has begun a campaign to reduce speed limits in residential sections of Pennsylvania's cities, boroughs and townships.

"Judge Boyle, who lives at 5550 Bryant Street, East End, was shocked into action recently when, from his front porch, he saw an auto critically injure a three-year-old boy.

"He has written State Senator Joseph Barr and several Representatives" proposing legislation permitting local authorities to reduce speed limits to 10 or 15 miles an hour in residential districts.

"Under the State motor vehicle code, streets not posted with traffic signs have an automatic speed limit of 35 miles an hour. Judge Boyle said yesterday he doesn't think cars need be driven more than 10 or 15 miles an hour unless they are on through highways or main streets.

"To buttress his argument, Judge Boyle pointed out that of 25 persons killed in traffic in Pittsburgh this year, 16 have been pedestrians. Of the 16, four were children from two to six years of age.

"Under Judge Boyle's proposal only municipal officials, familiar with residential streets, would be authorized to cut speed limits. In some municipalities, among them Edgewood and Wilkesburg, authorities have created numerous stop signs, which have the effect of reducing speeds."

I would ask that the Republicans, at their Caucus tomorrow, see if they cannot change their action on Senate Bill No. 523.

Mr. BERGER. Mr. President, I read the same article in this morning's Pittsburgh paper and was impressed by it, and thought of this bill which we were considering this afternoon. I was very clear when I stated that if some provisions were placed in this bill, somewhat along the lines of what Senator Barr has just read from the paper, whereby the Vehicle Code might be amended to provide that the municipality could reduce its speed limits on certain side streets, the bill would be very good, and that the committee, undoubtedly, would consider the bill further in the light of those suggestions and would consider it favorably.

Consequently, Mr. President, there is no question that we are just as interested in this proposition as we can be, and, if it is possible to write a bill which will carry out the suggestions made, we intend to do so. Of course, we will use the vehicle that was before us here in the form of the bill that was recommitted to the Highways Committee for that purpose.

Mr. BARR. Thank you, Mr. Berger. I realize that there may be some things in the bill which are objectionable to you. However, as I said earlier, I have two bills in my drawer now prepared on the subject, and I am having a third one prepared. I am going to see my friend, Bob Fleming, and I am sure he will co-sponsor them with me.

Mr. FLEMING. Mr. President, I listened with a great deal of interest to Senator Barr's reading of the article and the recommendations made by President Judge Hugh Boyle of the Orphans Court of Allegheny County. I am in complete sympathy with the objectives that have been outlined by Judge Boyle, and I want to assure all the Members of the Senate that I am practically certain that every Member sitting in this Body would like to do something, particularly, to protect the children who play on the residential streets in all of the sixty-seven counties.

It is my hope that the bill which was recommitted to-

day, Senate Bill No. 523, can be amended in order to give the municipal authorities in townships, boroughs, third class cities, second class cities and first class cities the right to regulate speed down to ten and fifteen miles, if necessary. I think it is admirable legislation. I think it should be given the earnest consideration not only of the State, but of the House of Representatives.

#### COMMUNICATION FROM THE PRESIDENT PRO TEMPORE

The Chair laid before the Senate the following communication in writing from the President pro tempore of the Senate, which was read as follows:

Senate of Pennsylvania  
Edward B. Watson, Secretary

July 28, 1959

Hon. M. Harvey Taylor  
President Pro Tempore  
Senate of Pennsylvania  
Harrisburg, Pennsylvania  
Dear Senator Taylor:

Due to the increased amount of work involved in representing my district coupled with the necessary time which I must devote to my candidacy for judge, I find I cannot properly fulfill my duties as a member of the Senate Committee investigating the Policies of the Allegheny County Sanitary Authority. I must, therefore, in fairness to myself, to the Committee and to the Senate of Pennsylvania regrettably tender my resignation from this Committee, effective immediately.

Thanking you for your kind and thoughtful consideration in making this appointment, I am

Very sincerely yours,

ERNEST F. WALKER.

APPOINTMENT OF SENATOR C. ARTHUR BLASS AS A MEMBER OF THE SENATE COMMITTEE INVESTIGATING POLICIES OF THE ALLEGHENY COUNTY SANITARY AUTHORITY, PURSUANT TO SENATE RESOLUTION, SERIAL No. 27

The PRESIDENT. The Chair wishes to announce that the President pro tempore has accepted the resignation of

Senator Ernest F. Walker and has appointed, as a Member of the Senate Committee Investigating the Policies of the Allegheny County Sanitary Authority, Senator C. Arthur Blass to replace Senator Walker.

#### BILLS INTRODUCED AND REFERRED

Mr. BERGER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER read in place and presented to the Chair Senate Bill No. 1038, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987), entitled, as amended, "Sanitary Water Law," permitting certain municipalities to discharge sewage in certain water.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. SHAFER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAFER read in place and presented to the Chair, Senate Bill No. 1039, entitled:

An Act making an appropriation to the Department of Forests and Waters for the construction of a dam at the outlet of Canadohta Lake.

Which was committed to the Committee on Forests and Waters, Game and Fish.

#### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 4, 1959, at 12:00 o'clock, m., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 4:31 o'clock, p. m., Eastern Standard Time, until Tuesday, August 4, 1959, at 12:00 o'clock, m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, August 3, 1959

The House met at 3:30 p.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Before Thy presence, O God, we come in the awareness of our own shortcomings and our need of Thy forgiving power and directed guidance. We invoke Thy blessing upon this distinguished assembly, and humbly pray that Thy hand may ever be upon the shoulder of each one of them. We pray that Thou wilt ever be with them to inspire and lead them as humble servants of Thine. In the stress and anxiety of life, be Thou a very present help, and grant to each one Thy blessed peace. In Jesus' precious name, we pray. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, July 20, Tuesday, July 21 and Wednesday, July 22, 1959? If not, and without objection, the Journals are approved.

## BILLS INTRODUCED AND REFERRED

By Messrs. DEVLIN and IRVIS. HOUSE BILL No. 2278.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale or other distribution of certain matter.

Referred to the Committee on Law and Order.

Mr. GALLAGHER. HOUSE BILL No. 2279.

An Act repealing Sec. 4, act of April 22, 1794 (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, \* \* \*," removing prohibitions and procedures relating to profaning the Lord's day, the use of profane language and drunkenness.

Referred to the Committee on Rules.

By Messrs. WILT, DONALDSON, LAMB and CLARKE. HOUSE BILL No. 2280.

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), requiring overhead exhaust outlets on every motor vehicle powered by a Diesel engine.

Referred to the Committee on Motor Vehicles.

By Messrs. BOIES, WHITTAKER and MAXWELL. HOUSE BILL No. 2281.

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216) further providing for advertising by dentists.

Referred to the Committee on Professional Licensure.

By Messrs. A. D. WILLIAMS, FETTEROLF, DENNIS and PRENDERGAST. HOUSE BILL No. 2282.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting certain business activities on Sunday.

Referred to the Committee on Rules.

By Messrs. POLASKI and HEAVEY.

HOUSE BILL No. 2283.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the salary or wages upon which pensions are computed.

Referred to the Committee on Cities—Third Class.

By Messrs. GOODRICH, WEIDNER, DAVIS and GARLOCK. HOUSE BILL No. 2284.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the definition of "valuation."

Referred to the Committee on Education.

By Messrs. GOODRICH, WEIDNER, DAVIS and GARLOCK. HOUSE BILL No. 2285.

An Act amending the "State Tax Equalization Board Law," approved June 27, 1947 (P. L. 1046), providing for the calculation and certification of an average market value of taxable real property.

Referred to the Committee on Education.

By Mr. ANDREWS. HOUSE BILL No. 2286.

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

Referred to Committee on Rules.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. RIGBY, A. W. JOHNSON, McCANN and Mrs. REIBMAN. RESOLUTION No. 99.

In the House of Representatives, July 28, 1959.

The present crisis in education will not subside in the foreseeable future unless clear and precise investigation into the causes therefor are uncovered, and workable plans are made to avoid duplication of past mistakes in the future conduct of the educational system within this Commonwealth.

In order to formulate far reaching plans for public education, it is necessary to have a fair and impartial study made by experts in the field of education; therefore, be it

Resolved, That this House of Representatives hereby requests the Honorable David L. Lawrence, Governor of Pennsylvania, to appoint a committee consisting of leaders and other experts in the field of education to study the following problems:

(1) What are our schools costing us now, what may they cost next year or the year after, and what must we expect to pay for good public education a generation or more hence?

(2) How can the cost of operating our public schools be reduced without materially affecting their ability to educate our children?

(3) How should the cost of public education be divided among the people who live in the Commonwealth? Should a taxpayer's contribution be based on his income, his spending, his real estate holdings, the size of his family, or on some other basis?

(4) What kind of new techniques are being developed throughout the Nation to make teaching swifter and easier and learning commensurately more economical and effective?

(5) Have new social and economic factors, many of them emerging since World War II, created a need for a new type of education for some segments of our society? and be it further

Resolved, That this House of Representatives hereby

requests the Department of Public Instruction, the Pennsylvania State University, the various State Teachers' Colleges, and other colleges and universities within this Commonwealth, the various school districts throughout the Commonwealth, and the various educators devoting their time and efforts to the various fields of learning to co-operate with and render such aid and assistance as may be necessary to the Governor's committee appointed as recommended herewith; and be it further

Resolved, That the committee is hereby requested to make a report of its findings and recommendations to the Governor and to the General Assembly of Pennsylvania on or before February 1, 1961; and be it further

Resolved, That a copy of this resolution be sent to the Honorable David L. Lawrence, Governor of Pennsylvania.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 96.

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," changing permissible corporate names and changing the law with respect to devises bequests and gifts in trust for and the perpetual care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of such trustees the investment of such trust funds and accounts of said trustees and repealing certain acts and parts of acts relating to corporations.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 277.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

Referred to the Committee on Education.

#### SENATE BILL No. 278.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying the law relating to the election of a joint board secretary and when he shall take office.

Referred to the Committee on Education.

#### SENATE BILL No. 471.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

Referred to the Committee on Banking and Building and Loan Associations.

#### SENATE BILL No. 472.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" authorizing certain banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

Referred to the Committee on Banking and Building and Loan Associations.

#### SENATE BILL No. 473.

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment, reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

Referred to the Committee on Banking and Building and Loan Associations.

#### SENATE BILL No. 623.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," permitting civil defense directors to equip their vehicles with sirens.

Referred to the Committee on Motor Vehicles.

#### SENATE BILL No. 664.

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members of State Teachers Colleges.

Referred to the Committee on Education.

#### SENATE BILL No. 684.

An Act amending the act of April 13, 1943 (P. L. 49) entitled "An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given" enlarging the investment powers of co-fiduciaries.

Referred to the Committee on Banking and Building and Loan Associations.

#### SENATE BILL No. 758.

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing that payment of certain taxes imposed by political subdivisions upon residents thereof shall be allowed as a deduction from similar taxes imposed by any other political subdivision.

Referred to Committee on Municipal Corporations.

#### SENATE BILL No. 815.

An Act amending the act of April 14, 1927 (P. L. 297) entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchise and property or any part thereof \* \* \*" clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1921 (P. L. 297) as amended.

Referred to the Committee on Public Utilities and Corporations.

#### SENATE BILL No. 852.

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," authorizing annexation in certain instances of property owned by



municipal authorities created solely by said city on the effective date of this act.

Referred to the Committee on Cities—Third Clas.

SENATE BILL No. 861.

An Act to amend the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by further regulating sabbatical leaves for employes of school districts.

Referred to the Committee on Education.

SENATE BILL No. 864.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public Schol Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 868.

An Act amending the title and act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum load to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 882.

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class . . ." authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 916.

An Act amending the act of May 13, 1927 (P. L. 1011) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties \* \* \*" further regulating the powers of the department of city planning over plats or subdivisions of land.

Referred to the Committee on Cities—Counties Second Class and Second Class A.

SENATE BILL No. 917.

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments

thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Judiciary.

SENATE BILL No. 941.

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

Referred to the Committee on Military Affairs.

SENATE RESOLUTION SERIAL No. 115.

Referred to the Committee on Rules.

## SENATE MESSAGE

### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, July 27, 1959.

Resolved (if the Senate concur), That House Bill No. 1659, Printer's No. 681, entitled "An act amending the act of April 29, 1959 (Act No. 32) entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' by extending power of police officers to remove all abandoned or wrecked vehicles and tractors," be recalled from the Governor for further consideration.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 272.

An Act requiring State licensing boards and agencies to give credit for training received in the armed services of the United States toward requirements for internship clerkship apprenticeship and other job training as a prerequisite to issuing a license.

HOUSE BILL No. 751.

An act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes \* \* \*" providing for the use of twenty-five per centum of the money allocated in townships of the second class.

HOUSE BILL No. 810.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing the establishment of a Shade Tree Commission and providing for its personnel powers and duties.

HOUSE BILL No. 878.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), providing for the payment of service increments to firemen in addition to their pensions.

HOUSE BILL No. 1070.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), exempting certain properties from taxation.

## HOUSE BILL No. 1074.

An Act amending the "Funeral Director Law" approved January 14, 1952 (P. L. 1898) providing for a State Board of Funeral Directors in the Department of Public Instruction.

## HOUSE BILL No. 1100.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) authorizing the cutting or cropping of dogs' ears by veterinarians.

## HOUSE BILL No. 1273.

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) exempting certain property from taxation.

## HOUSE BILL No. 1400.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) further regulating the election of councilmen.

## HOUSE BILL No. 1511.

An Act amending the "Public Utility Law" approved May 28 1937 (P. L. 1053) changing the fees to be charged by the commission for copies of papers testimony and records.

## HOUSE BILL No. 1685.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) by extending the term "workmen" to include public utility employes when working on the highways.

## HOUSE BILL No. 1808.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing pension payments to retired members of fire departments regardless of employment for compensation.

With the information that the Senate has passed the same without amendment.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MAXWELL asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE BILLS Nos. 90, 122, 892, 1363, and 2127

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg  
July 30, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 90, Printer's No. 1032, entitled "An Act permitting the completion of baseball games in cities of the first second SECOND CLASS A OR THIRD class AND TOWNSHIPS OF THE FIRST CLASS notwithstanding provisions to the contrary."

DAVID L. LAWRENCE.

July 30, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 122, Printer's No. 855, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' extending the penalty section to cover all persons violating the act and fixing a minimum fine."

DAVID L. LAWRENCE.

July 30, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 892, Printer's No. 998, entitled "An Act amending the act of July 10, 1935 (P. L. 645) entitled 'An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare' regulating the availability of doctors at all hospitals."

DAVID L. LAWRENCE.

July 30, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1363, Printer's No. 513, entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' providing for additional payments to certain pensioned or retired employes."

DAVID L. LAWRENCE.

July 29, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2127, Printer's No. 949, entitled "An Act reenacting and amending section 11 act of May 22, 1935 (P. L. 233) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' providing a time when payments shall first be made to the widow and children of members who are killed while on duty."

DAVID L. LAWRENCE.

### SENATE MESSAGE

#### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 3, 1959

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 10, 1959 at two o'clock p. m., E.S.T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 10, 1959 at three-thirty o'clock p. m., E.S.T.



Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. J. J. MURPHY. Mr. Speaker, I move that House Bill No. 1427 Printer's No 702 together with communication from the Senate be taken from the table.

The motion was agreed to.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1427 FROM GOVERNOR

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Pa., July 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1427, Printer's No. 702, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE

### RECONSIDERATION OF VOTE

Mr. A. J. MURPHY. Mr. Speaker, I move that the vote by which this bill passed finally be considered.

Mr. AGNEW. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Washington, Mr. Murphy vote on the final passage of this bill?

Mr. A. J. MURPHY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Agnew vote on the final passage of this bill?

Mr. AGNEW. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. A. J. MURPHY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. J. MURPHY asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Section 1 (Section 1316), page 2, line 13, by inserting after "bid" "and when requested, no bid shall be considered unless so accompanied. If any successful bidder fails to furnish a bond as required in sub-section (c) the certified check shall be forfeited to the borough as liquidated damages and the award shall be void."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. SULLIVAN because of illness.

### RESOLUTION

#### CONGRATULATIONS

Mr. K. B. LEE asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, August 3, 1959.

We, the members of the House of Representatives of Pennsylvania, take off our hats to the community of Dushore Borough in this their centennial year because we are proud of the work the community and its residents have done in the past one hundred years to further the prosperity of their community, county and our Commonwealth; therefore, be it

Resolved, That the House of Representatives of Pennsylvania extend its heartiest congratulations to the Borough of Dushore in Sullivan County upon the advent of their Centennial Celebration; and, be it further

Resolved, That we wish them the best of luck for the next one hundred years and hope that they will be as successful in developing their community during that time as they were during the past century; and, be it further

Resolved, That a copy of this resolution be forwarded to Gordon Tubach, Burgess of Dushore and to the Dushore Centennial Committee.

### INTERNATIONAL EXCHANGE STUDENTS WELCOMED

The SPEAKER. The Chair has been informed that there are present in the Hall of the House Sir Hamid Raza of West Pakistan and Mr. Hans Shleeper of Holland. They are International Exchange Students, and are the guests of the gentleman from Lebanon County, Mr. Seltzer.

### REPORT FROM COMMITTEE

Mr. GELFAND from the Committee on Banking and Building and Loan Associations, reported as amended, House Bill No. 1897, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), further regulating the disbursements of funds by brokers.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs towns and townships and the regulation and maintenance thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 133, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" and changing the definition of the term "school zone" and provisions relating to certain traffic signs.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 559, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing provisions and penalties with respect to unlawful acts concerning traffic and safety signs.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 648, entitled:

An Act amending "The Divorce Law" approved May 2, 1929 (P. L. 1237) enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 649, entitled:

An Act amending "The Pennsylvania Civil Procedural Support Law" approved July 13 1953 (P. L. 431) providing for the establishment of a Domestic Relations Division in each county and further defining the powers and duties of the Domestic Relations Division and probation officers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act amending the act of April 14 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof \* \* \* operation and conduct thereof by the Department of Welfare \* \* \*" redefining "boarding houses for infants."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1255, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes to provide the least number of men that may be employed on locomotive trains and to provide a penalty for the violation thereof and the enforcement thereof by the Department of Labor and Industry.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties for the Department of Public Welfare.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1675, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) authorizing the erection of "yield right-of-way" signs describing the duties of operators thereof prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1732, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" defining "school bus" granting a credit for certain suspensions toward revocation penalties including motorcycles within the provisions relating to reflectors and reflective materials prohibiting amber lights on parked vehicles providing for enforcement of equipment requirements further defining the duty to stop in the event of an accident further providing for the time in which to bring certain actions further providing for certain appeals from orders or acts of the secretary and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1733, entitled:

An Act amending the act of April 29, 1959 (Act No. 32)



entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicle and tractors" redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing exempting certain vehicles from lighting requirements providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and assistant chief of police to be equipped with a siren extending the time during which a red light must be placed at the end of a load prohibiting parking in certain additional places requiring operators to obey the directions of signs extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457) further regulating the exercise of powers by the Department of Banking and boards thereof \* \* \*.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1945, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 168, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the use of vulgar or profane language in public places.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017) including neglected children within the powers and duties of the local authorities.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 992, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) redefining "aged persons" and "disabled persons" making eligible for assistance certain aged disabled and other persons who are inmates of public institutions.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof \* \* \* and prescribing penalties" redefining boarding houses for children.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Section" where it appears the second time, and inserting: "The title and section"

Amend Sec. 1, page 2, by inserting between lines 5 and 6: "An Act relating to boarding houses for children; providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Public Welfare; defining offenses, and prescribing penalties."

Amend Sec. 1 (Sec. 1), page 3, line 10, by inserting after "of" where it appears the first time: "Public"

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1336, entitled:

An Act providing for the issuing administration enforcement and termination of marketing agreements and orders on agricultural commodities providing for the creation and operation of the Pennsylvania Agricultural Marketing Commission imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the con-

tents of agreements and orders and providing for the imposition and collection of fees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9 1955 (P. L. 323) authorizing appropriations to posts of the Society of the 28th Division AEF Inc to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1554, entitled:

An Act amending the act of June 27, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record \* \* \*," authorizing the Supreme Court of Pennsylvania to make rules for the orphans' courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1633, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace magistrates and aldermen and repealing certain prior acts.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendment:

Amend Sec. 3, page 2, line 3, by striking out "filing with said official a request for."

It was agreed to.

The section was agreed to as amended.

The fourth to fourteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440), entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delin-

quents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority," designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1940, entitled:

An Act amending the Act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto," \* \* \*.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1955, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund \* \* \* providing for loans of money between the Motor License Fund and the General Fund under certain conditions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2070, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), authorizing the Department of Public Welfare to support and foster community clinics and agencies for the treatment of the mentally ill and defective.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306), entitled "An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2129, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), providing that all of certain fines shall be returned to the State.



The first section was read.  
On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitteed to the Committee on Motor Vehicles.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2216, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

The first section was read and agreed to.  
Mr. McCANN offered the following amendment:

Amend Bill, page 4, by inserting after line 6: "Section 2. This act shall take effect immediately."

It was agreed to.  
The section was agreed to.  
The title was read and agreed to.  
And said bill having been read at length the second time and agreed to as amended.  
Ordered to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifty-nine.

And said bill having been read at length the second time and agreed to.  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

The first section was read.  
On the question,  
Will the House agree to the section?  
Mr. POLEN offered the following amendment:  
Amend Sec. 1, page 2, line 5, by inserting after "assistance": "and administrative expenses."  
It was agreed to.  
The section was agreed to as amended.

The second to sixth inclusive sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection  
Senate Bill No. 66, Printer's No. 66,  
Senate Bill No. 68, Printer's No. 68, and  
Senate Bill No. 74, Printer's No. 279,  
were passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 148, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing the limitation on appropriations which may be made for agricultural extension work.

And said bill having been read at length the second time and agreed to.  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 434, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982) entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record \* \* \*" granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions.

And said bill having been read at length the second time and agreed to.  
Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 637, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the amount the commissioners may spend in contracts without written bids.

And said bill having been read at length the second time and agreed to.  
Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection  
Senate Bill No. 667, Printer's No. 721,  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 811, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the membership of county board of school directors.

And said bill having been read at length the second time and agreed to.  
Ordered, To be transcribed for third reading.

# BILL PASSED OVER

There being no objection

Senate Bill No. 968, Printer's No. 1108,  
was passed over at the request of the SPEAKER.

## STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to have permission to speak to the House for a moment before we start our first roll call since one of our Committees is still out.

A few weeks ago the bi-partisan tax committee appointed by the Speaker, composed of four Democrat Members and four Members on the Republican side of the House, met and worked on a tax program. Out of that came the present tax bill on the calendar now known as House Bill No. 1285.

On that date the bill was not called to a vote. Since then many words of wisdom and debate have passed in this House and through the newspapers of the Commonwealth of Pennsylvania. For the record, officially, we are now ready to talk about House Bill No. 1285. The gentleman from Armstrong, Mr. Helm, stated they would be ready to talk at the time the Democratic side had its house in order.

Our house is in order. We are ready to meet with you at any hour, any minute, today, tonight or in the morning to talk about the tax program, the means of financing the Commonwealth of Pennsylvania. We extend a public invitation for the bi-partisan tax committee to meet to discuss whether it will be 1285 or some other tax measure, so that we may proceed from this point. We believe we can solve this tax problem in the next few days, and we certainly wish the opportunity to be granted for our Democrat Members to meet with your Members regarding this tax problem.

## PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House, I am very, very happy to hear the Majority party say they now have their house in order. I only hope the gentleman from Greene, the Majority Leader, knows whereof he speaks, and does not receive the type of treatment he received just a couple of weeks ago, because I believe the committee of eight that met at that time met in good faith and tried to work out a program that could be passed in this House.

I say to the gentleman from Greene, in answering his invitation to once again meet, that the four members of the conference committee on this side of the House are ready and willing to sit down and once again discuss taxes. Whether we come up with the same program or another one is something that will have to be determined by the committee. I trust and hope we can set a time that will be agreeable mutually, to have these meetings start, and come up with some kind of a solution to this stalemate.

Mr. McCANN. Mr. Speaker, I should like to notify the Members that we intend to work through until 7:30 Daylight Saving Time. Many have asked about when they would get to eat this evening.

Our plans for tomorrow call for from 12:00 noon until

7:00 o'clock tomorrow night, seven straight hours, with a break for a bite to eat.

Bills are coming up which are controversial, and we will continue to move on the calendar as far as we can go. I would ask that once the roll calls start on the bills the membership stay with us here in the House right through to 7:30 this evening.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 385, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—186

Agnew,	Gallagher,	McKeever,	McDonald,
Anderson,	Garlock,	McLaughlin,	Royer,
Arlene,	Gelfand,	Machmer,	Rudisill,
Auker,	George,	Magee,	Sakulsky,
Balthaser,	Gibb,	Mahan,	Scarcell,
Barton,	Goldstein,	Markley,	Schaaf,
Bell,	Gramlich,	Maxwell,	Schuster,
Bodes,	Guthrie,	Meholchick,	Schwartz,
Bonner,	Hamilton,	Merry,	Seltzer,
Boris,	Heffner,	Mihm,	Sherman,
Bower,	Helm,	Miller, B. Z.,	Shupnik,
Branca,	Henzel,	Miller, H. G.,	Silverman,
Brenninger,	Hocker,	Mills,	Snare,
Breth,	Holliday,	Monroe,	Snider,
Buchanan,	Holt,	Muldowney,	Stank,
Burns,	Horst,	Mullen,	Steckel,
Capano,	Irvis,	Munley,	Stevens,
Capitolo,	Isaacs,	Murphy, A. J., Jr.,	Stewart,
Cianfrani,	Jenkins,	Murphy, P. J.,	Stimmel,
Cioffi,	Jim,	Murray, H. P.	Stone,
Clarke,	Johnson, A. W.,	Murray, J. J.,	Stoner,
Comer,	Johnson, R.,	Murray, P. G.,	Stroup,
Crossin,	Jones, F. R.,	Musto,	Taylor,
Curwood,	Jones, T. H. W.,	Naugle,	Tompkins,
Davis,	Jump,	Needham,	Ujobal,
Dengler,	Kamyk,	Nelson,	Varallo,
Dennison,	Kee,	O'Donnell, J. A.,	Varner,
Devlin,	Kelser,	O'Donnell, J. P.,	Verona,
Donahue,	Kernaghan,	Odorsio,	Wall,
Donaldson,	Kessler,	Ogilvie,	Walsh,
Dougherty,	Knecht,	O'Neill,	Wargo,
Down,	Kooker,	Parlante,	Weidner,
Edwards,	Kornick,	Pashley,	Welsh,
Ellberg,	Kovolenko,	Perry, F. E.,	Wheeler,
Eshback,	Kubitsky,	Perry, H. H.,	Whittaker,
Eshleman,	Lamb,	Petrosky,	Williams, A. D., Jr.,
Ewing,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, K. B.,	Polen,	Willaredt,
Filo,	Leonard,	Price,	Wood,
Fineman,	Limper,	Pursley,	Worley,
Floyd,	Lippincott,	Reibman,	Wynd,
Flynn,	Loprestl,	Reidenbach,	Yatron,
Fox,	Luigard,	Renwick,	Yetter,
Frank,	Lutty,	Rigby,	Zimmerman,
Frascella,	McCandless,	Riley,	Andrews,
Fulmer,	McCann,	Rovanse,	
Galley,	McInroy,	McCormack,	

Speaker

### NAYS—9

Ashton,	Goodrich,	Light,	Strausser,
Blair,	Korns,	O'Dell,	Wescott,
Bowman,			

### NOT VOTING—13

Brown,	Foerster,	Prendergast,	Trusio,
Cooper,	Heavey,	Sullivan,	Willard,
Dennis,	Moran,	Thompson,	Wilt,
Farabaugh,			



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 647, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—191

Agnew,	Gallagher,	McCormack,	Riley,
Anderson,	Garlock,	McDonald,	Rovansek,
Arlene,	Gelfand,	McInroy,	Royer,
Auker,	George,	McKeever,	Rudisill,
Balthaser,	Gibb,	McLaughlin,	Sakulsky,
Barton,	Goldstein,	Machmer,	Scarcelli,
Bell,	Gramlich,	Magee,	Schaaf,
Blair,	Guthrie,	Mahan,	Schuster,
Boles,	Hamilton,	Markley,	Schwartz,
Bonner,	Heffner,	Maxwell,	Seltzer,
Boris,	Helm,	Meholchick,	Sherman,
Bower,	Henzel,	Merry,	Shupnik,
Branca,	Hocker,	Mihm,	Silverman,
Brenninger,	Holliday,	Miller, B. Z.,	Snare,
Breth,	Holt,	Miller, H. G.,	Snider,
Buchanan,	Horst,	Mills,	Stank,
Burns,	Irvis,	Monroe,	Steckel,
Capano,	Isaacs,	Muldowney,	Stevens,
Capitolo,	Jenkins,	Mullen,	Stewart,
Cianfrani,	Jim,	Munley,	Stimmel,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stone,
Clarke,	Johnson, E.,	Murphy, P. J.,	Stoner,
Comer,	Jones, F. R.,	Murray, H. P.,	Stroup,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Taylor,
Curwood,	Jump,	Murray, P. G.,	Tompkins,
Davis,	Kamyk,	Musto,	Ujobal,
Dengler,	Kee,	Naugle,	Varallo,
Dennison,	Kelser,	Needham,	Varner,
Devlin,	Kernaghan,	Nelson,	Verona,
Donahue,	Kessler,	O'Dell,	Wall,
Donaldson,	Knecht,	O'Donnell, J. A.,	Walsh,
Dougherty,	Kooker,	O'Donnell, J. P.,	Wargo,
Down,	Kornick,	Odrisio,	Weidner,
Edwards,	Korns,	Ogilvie,	Welsh,
Eilberg,	Kovolenko,	O'Neil,	Wescott,
Eshback,	Kubitsky,	Parlante,	Wheeler,
Eshleman,	Lamb,	Pashley,	Whittaker,
Ewing,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Filo,	Leonard,	Petrosky,	Willaredt,
Fineman,	Light,	Polaski,	Wood,
Floyd,	Limper,	Polen,	Worley,
Flynn,	Lippincott,	Price,	Wynd,
Fox,	Lopresti,	Pursley,	Yatron,
Frank,	Luigard,	Reibman,	Yetter,
Frascella,	Lutty,	Reidenbach,	Zimmerman,
Fulmer,	McCandless,	Renwick,	Andrews,
Galley,	McCann,	Rigby,	Speaker

#### NAYS—4

Ashton,	Bowman,	Goodrich,	Strausser,
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#### NOT VOTING—13

Brown,	Foerster,	Prendergast,	Trusio,
Cooper,	Heavey,	Sullivan,	Willard,
Dennis,	Moran,	Thompson,	Wilt,
Farabaugh,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 907, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) prohibiting the purchase or possession of liquor or malt or brewed beverages by minors over the age of seventeen years.

#### BILL RECOMMITTED

Mr. SCHAAF. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 988, Printer's No. 1092, and

House Bill No. 1191, Printer's No. 967,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1379, entitled:

An Act providing for the assignment of counsel to indigent persons accused of crime.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like to interrogate one of the sponsors, Mr. Goldstein or Mr. Schwartz.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, this bill provides that indigent persons accused of crime shall be advised of the right to counsel, and shall have counsel appointed for them if they so request it. Who interprets that word "indigent," the courts?

Mr. GOLDSTEIN. I would say the courts.

The purpose of this bill is to put into law what the courts of this Commonwealth now do as a matter of practice. The Supreme Court of the United States has stated that every defendant shall have the opportunity to have counsel. To make certain that the record shows they have such an opportunity, Mr. Schwartz, Mr. Wilt and I co-sponsored the bill. It is no burden on any taxpayer. In the larger counties the Legal Aid Society takes care of it, and in the smaller counties I am certain there are volunteer lawyers who will do the work on behalf of the courts.

Mr. McCORMACK. Then the Court of Quarter Sessions is to determine whether or not a particular person is indigent, is that correct?

Mr. GOLDSTEIN. That is correct, yes.

Mr. McCORMACK. Then if the lower court has so determined, and there is a later habeas corpus petition filed after a conviction where the court did not appoint a person because it found he was not indigent, would you say that was permitted, or that would be grounds for issuing a writ?

Mr. GOLDSTEIN. I think the bill reads that you give him the opportunity to get counsel, and having been given an opportunity, if he rejects it then his rights have been protected.

Mr. McCORMACK. No, sir, I mean when the court refuses to appoint counsel because the court feels the person is not indigent. Would that person then have a right to appeal from that finding of fact that he was not indigent?

Mr. GOLDSTEIN. You have raised a good question. When the bill was originally sponsored by me, it did not have the word "indigent" in it, and why that was put in I do not know. However, I think it is a good bill.

Mr. McCORMACK. I agree that it is a good bill.

Mr. GOLDSTEIN. I would prefer to have the word "indigent" out of the bill so as to cover any person who appeared before the court, whether he be rich or poor. Sometimes some wealthy people appear and because they are arbitrary they do not have a counsel and want to make their own defense. I would prefer to have the word "indigent" out of the bill, but it is in there. It is a step in the right direction, and therefore I think the bill ought to be passed. However, if we could have that word "indigent" removed, I think it would be a better bill.

Mr. McCORMACK. I see. The bill also provides that he shall be represented by counsel at every stage of the proceeding. I am wondering whether or not that could be clearer, to spell out "after indictment," so a person would not have the opportunity of later, on appeal or in an habeas corpus petition, saying that at the preliminary hearing before the magistrate he was not represented by counsel. It seems to me it could be avoided if the language were spelled out more clearly.

Mr. GOLDSTEIN. I think the intent of the bill is clear. It says "appears in court," and the second paragraph says "an indictable offense." It would have no application to a preliminary hearing, in my opinion.

Mr. McCORMACK. It says where a person is accused of an indictable offense or indictable crime. That refers to the type of crime for which the person is being held, or of which he is being accused, an indictable offense. Is that correct?

Mr. GOLDSTEIN. Well, the word "court" you understand does not mean a police magistrate or a squire, it means a judge in a court of record, and I think that is a reasonable interpretation.

Mr. McCORMACK. It does not say "a court of record," though.

Mr. GOLDSTEIN. No, it does not.

Mr. McCORMACK. Well, do you think it should?

Mr. GOLDSTEIN. I think it would be a better bill if it said "a court of record," yes.

Mr. McCORMACK. Well, would you agree then, sir, to pass this over and try to put language in it that would prevent any later situations, giving rise to a writ of habeas corpus?

Mr. GOLDSTEIN. I have no objection. The original sponsor of the bill is Mr. Schwartz, of the city of Philadelphia, and if it is O.K. with him it is perfectly all right with me.

Mr. McCORMACK. I think it is a good bill, Mr. Speaker, I am in favor of it, but I think that it should be clarified as to the language.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCORMACK. Mr. Speaker, I move that this bill be placed on the final passage postponed Calendar.

The motion was agreed to.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1542, Printer's No. 969, and

House Bill No. 1984, Printer's No. 1184,

were passed over at the request of the SPEAKER.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, come to the desk? There are some-thirty bills that the Speaker is supposed to sign.

The Chair is requesting the gentleman from Cambria to preside.

Mr. LOPRESTI IN THE CHAIR.

#### BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed Calendar by Mrs. PASHLEY,

The House resumed the consideration on final passage of House Bill No. 1129, entitled:

An Act amending the act of June 12, 1931 (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospitals \* \* \*" providing for a provisional license.

On the question recurring,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mrs. PASHLEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mrs. PASHLEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4), page 2, line 7, by inserting a bracket before and after "shall."

Amend Sec. 1 (Sec. 4), page 2, line 13, by inserting after "with": "shall."

Amend Sec. 1 (Sec. 4), page 2, line 13, by inserting after "applicant": "forthwith and immediately."

Amend Sec. 1 (Sec. 4), page 2, line 19, by inserting after "Revenue": "Provided That when there has been substantial, but not complete compliance with all applicable statutes, ordinances, rules, and regulations, and when the licensee has taken appropriate steps to correct deficiencies, if any, the department may grant a provisional license."

Amend Sec. 1 (Sec. 4), page 3, line 9, by inserting after "once": "And provided further That upon full compliance with the applicable statutes, ordinances, rules, and regulations, a regular license shall be issued forthwith and immediately."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?



It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS ON THIRD READING

### BILLS PASSED OVER

There being no objection

House Bill No. 63, Printer's No. 1170,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during time of combat.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—196

Agnew,	Gallagher,	McCormack,	Rovansek,
Anderson,	Garlock,	McDonald,	Royer,
Arlene,	Gelfand,	McInroy,	Rudisill,
Ashton,	George,	McKeever,	Sakulsky,
Auker,	Gibb,	McLaughlin,	Scarcelli,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Boies,	Hamilton,	Maxwell,	Sherman,
Bonner,	Heffner,	Mehoichick,	Shupnik,
Boris,	Helm,	Merry,	Silverman,
Bower,	Henzel,	Mihm,	Snare,
Bowman,	Hocker,	Miller, B. Z.,	Snider,
Branca,	Holliday,	Miller, H. G.,	Stank,
Brenninger,	Holt,	Mills,	Steckel,
Breth,	Horst,	Monroe,	Stevens,
Buchanan,	Irviss,	Muldowney,	Stewart,
Burns,	Isaacs,	Mullen,	Stimmel,
Capano,	Jenkins,	Munley,	Stone,
Capitolo,	Jim,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Johnson, A. W.,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, R.,	Murray, H. P.,	Stroup,
Clarke,	Jones, F. R.,	Murray, J. J.,	Taylor,
Comer,	Jones, T. H. W.,	Murray, P. G.,	Tompkins,
Crossin,	Jump,	Musto,	Ujobai,
Curwood,	Kamyk,	Naugle,	Varallo,
Davis,	Kee,	Needham,	Varnier,
Dengler,	Kelser,	Nelson,	Verona,
Dennison,	Kernaghan,	O'Dell,	Wall,
Devlin,	Kessler,	O'Donnell, J. A.,	Walsh,
Donahue,	Knecht,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kooker,	Odorisio,	Weidner,
Dougherty,	Kornick,	Ogilvie,	Welsh,
Down,	Korns,	O'Neill,	Wescott,
Edwards,	Kovolenko,	Parlante,	Wheeler,
Ellberg,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willaredt,
Fetterolf,	Leonard,	Polaski,	Wilt,
Filo,	Light,	Folen,	Wood,
Fineman,	Limper,	Price,	Worley,
Floyd,	Lippincott,	Pursley,	Wynd,
Flynn,	Lopresti,	Reibman,	Yatron,
Fox,	Luigard,	Reidenbach,	Yetter,
Frank,	Lutty,	Renwick,	Zimmerman,
Frascella,	McCandless,	Rigby,	Andrews,
Fulmer,	McCann,	Riley,	Speaker
Galley,			

### NAYS—0

### NOT VOTING—12

Brown,  
Cooper,  
Dennis,

Farabaugh,  
Foerster,  
Heavy,

Moran,  
Prendergast,  
Sullivan,

Thompson,  
Trusio,  
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 1123,

House Bill No. 322, Printer's No. 1161, and

House Bill No. 325, Printer's No. 999,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind paraplegic and double or quadruple amputee veterans from the payment of certain real property taxes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, to House Bill 409, Printer's No. 1172, there are no amendments that I know of to the bill. If the Minority Leader has any, he has not indicated it. 409, therefore, is ready for passage. Is that right?

The SPEAKER pro tempore. The Chair's calendar indicated that there were amendments.

Mr. A. W. JOHNSON. Mr. Speaker, we would like the bill passed over. We are getting the figures on the number of that type of person to whom that would be extended in the state, and I do not know if the information is now available. If you want to give it on the floor right now, that would be fine.

Mr. McCANN. Mr. Speaker, the question I asked was about amendments. We have all of the figures pertaining to this bill. Mr. Needham has available and is ready to give on the floor all the figures pertaining to 409.

Mr. A. W. JOHNSON. That is right. We have no amendments to the bill.

Mr. McCANN. Mr. Speaker, let us proceed with House Bill 409 and let the figures be inserted into the record, so that we may vote on the bill.

Mr. EILBERG. Mr. Speaker, I do have the figures on this bill if I may have the opportunity to present them.

This bill was called to mind by the unfortunate situation of certain paraplegic veterans in this Commonwealth being given homes by the United States government especially equipped for their particular condition and then being in such a financial condition that they could not afford to pay the real estate taxes on the very properties given to them.

It seems, Mr. Speaker, if we are in a position to help people like this, we certainly should do so.

This bill, as amended and brought to the floor, in cases where you have amputees multiple amputees, or blind or praplegic veterans, that, if they own and occupy their homes and are in a condition of financial need as determined by the State Veterans' Commission, those veterans would be excluded from real estate taxes only.

Of course, this is in contradiction to the uniformity clause of the Constitution and, therefore, this bill would have to pass this Session and the next Session and be voted on by the people before it could be enacted into law.

Now as to the gentleman's question, I have obtained the following figures from Lieutenant Colonel William B. Freeland, Deputy Adjutant General for Veterans' Affairs, indicating that from the three VA Regional offices in the state that there are 268 eligible veterans in Philadelphia, 161 eligible veterans out of the Wilkes-Barre Regional Office, and 227 eligible veterans out of the Pittsburgh office, totaling 656 veterans who would possibly qualify under this piece of legislation.

This does not mean that for all these people of these offices the financial need would be present. This means that 656 persons around the state could possibly come within the bill. If we spread this top number, 656, around the state, assuming that all of them were to qualify, we would have a very small percentage of the population affected and the income of the various municipalities, borough and so forth, would be affected to a very minimum degree. I think under these circumstances this is a very good piece of legislation.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Agnew,	Gallagher,	McCormack,	Rovansek,
Anderson,	Garlock,	McDonald,	Royer,
Arlene,	Gelfand,	McInroy,	Rudisill,
Ashton,	George,	McKeever,	Sakulsky,
Auker,	Gibb,	McLaughlin,	Scarcelli,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Boles,	Hamilton,	Maxwell,	Sherman,
Bonner,	Heffner,	Meholchick,	Shupnik,
Boris,	Helm,	Merry,	Silverman,
Bower,	Henzel,	Mihm,	Snare,
Bowman,	Hocker,	Miller, B. Z.,	Snider,
Branca,	Holliday,	Miller, H. G.,	Stank,
Brenninger,	Holt,	Mills,	Steckel,
Breth,	Horst,	Monroe,	Stevens,
Buchanan,	Irviss,	Muldowney,	Stewart,
Burns,	Isaacs,	Mullen,	Stimmel,
Capano,	Jenkins,	Munley,	Stone,
Capitolo,	Jim,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Johnson, A. W.,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, R.,	Murray, H. P.	Stroup,
Clerke,	Jones, F. R.,	Murray, J. J.,	Taylor,
Comer,	Jones, T. H. W.,	Murray, P. G.,	Tompkins,
Crossin,	Jump,	Musto,	Ujobai,
Curwood,	Kamyk,	Naugle,	Varallo,
Davis,	Kee,	Needham,	Varnier,
Dengler,	Kelser,	Nelson,	Verona,
Dennison,	Kernaghan,	O'Dell,	Wall,
Devlin,	Kessler,	O'Donnell, J. A.,	Walsh,
Donahue,	Knecht,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kooker,	Odorisio,	Weidner,
Dougherty,	Kornick,	Ogilvie,	Welsh,
Down,	Korns,	O'Neil,	Wescott,
Edwards,	Kovolenko,	Parlante,	Wheeler,
Eilberg,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,

Ewing,	Lee, K. B.,	Petrosky,	Willaredt,
Fetterolf,	Leonard,	Polaski,	Wilt,
Filo,	Light,	Polen,	Wood,
Fineman,	Limper,	Price,	Worley,
Floyd,	Lippincott,	Pursley,	Wynd,
Flynn,	Lopresti,	Reibman,	Yatron,
Fox,	Luigard,	Reldenbach,	Yetter,
Frank,	Lutty,	Renwick,	Zimmerman,
Frascella,	McCandless,	Rigby,	Andrews,
Fulmer,	McCann,	Riley,	Speaker
Galley,			

NAYS—0

NOT VOTING—12

Brown,	Farabaugh,	Moran,	Thompson,
Cooper,	Foerster,	Prendergast,	Trusio,
Dennis,	Heavy,	Sullivan,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 725, entitled:

An Act amending the "Pawnbrokers License Act" approved April 6, 1937 (P. L. 200) granting to police commissioners in cities of the first class or their designated representatives certain investigative powers with respect to pawnbrokers.

On the question,  
Will the House agree to the bill on third reading?  
Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "pawnbrokers": "limiting the use of information so obtained and prescribing penalties for the unlawful use or disclosure of such information"

Amend Sec. 1 (Sec. 9), page 2, line 5, by inserting after "purpose": "may at any time"

Amend Sec. 1 (Sec. 9), page 2, line 7, by striking out "may at any time" and inserting: "may at reasonable intervals"

Amend Sec. 1 (Sec. 9), page 3, by inserting between lines 8 and 9:

"Any information obtained by a police commissioner or police officer under authority of this section shall be used in the official police affairs of such city and shall not be used for any other purpose.

"Any police commissioner or police officer or any other employe of any city, who uses or causes the use of any information obtained under authority of this section, for other than the official police affairs of such city, or who divulges or discloses any such information to any person other than the person properly authorized to receive the same for use in the official police affairs of such city shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars (\$100.00) or undergo imprisonment not exceeding one (1) year or both."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?  
They were agreed to.  
On the question,



Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 846, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) further regulating the adoption of zoning codes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Gallagher,	McCormack,	Rovansek,
Anderson,	Garlock,	McDonald,	Royer,
Arlene,	Gelfand,	McInroy,	Rudisill,
Ashton,	George,	McKeever,	Sakulsky,
Auker,	Gibb,	McLaughlin,	Scarcell,
Balthaser,	Goldstein,	Machmer,	Schuster,
Barton,	Goodrich,	Magee,	Schwartz,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Boies,	Hamilton,	Maxwell,	Sherman,
Bonner,	Heffner,	Meholchick,	Shupnik,
Boris,	Helm,	Merry,	Silverman,
Bower,	Henzel,	Mihm,	Snare,
Bowman,	Hocker,	Miller, B. Z.,	Snider,
Branca,	Holliday,	Miller, H. G.,	Stank,
Brenninger,	Holt,	Mills,	Steckel,
Breth,	Horst,	Monroe,	Stevens,
Buchanan,	Irviss,	Muldowney,	Stewart,
Burns,	Isaacs,	Mullen,	Stimmel,
Capano,	Jenkins,	Munley,	Stone,
Capitolo,	Jim,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Johnson, A. W.,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, R.,	Murray, H. P.,	Stroup,
Clarke,	Jones, F. R.,	Murray, J. J.,	Taylor,
Comer,	Jones, T. H. W.,	Murray, P. G.,	Tompkins,
Crossin,	Jump,	Musto,	Ujobai,
Curwood,	Kamyk,	Naugle,	Varallo,
Davis,	Kee,	Needham,	Varnier,
Dengler,	Kelser,	Nelson,	Verona,
Dennison,	Kernaghan,	O'Dell,	Wall,
Devlin,	Kessler,	O'Donnell, J. A.,	Walsh,
Donahue,	Knecht,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kooker,	Odorisio,	Weidner,
Dougherty,	Kornick,	Ogilvie,	Welsh,
Down,	Korns,	O'Neill,	Wescott,
Edwards,	Kovolenko,	Parlante,	Wheeler,
Ellberg,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A. D. Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Fetterolf,	Leonard,	Polaski,	Wood,
Filo,	Light,	Polen,	Worley,
Fineman,	Limper,	Price,	Wynd,
Floyd,	Lippincott,	Pursley,	Yatron,
Flynn,	Lopresti,	Reibman,	Yetter,
Fox,	Luigard,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
Frascella,	McCandless,	Rigby,	
Fulmer,	McCann,	Riley,	Speaker

## NAYS—0

## NOT VOTING—12

Brown,	Farabaugh,	Moran,	Thompson,
Cooper,	Foerster,	Prendergast,	Trusio,
Dennis,	Heavy,	Sullivan,	Willard,

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 847, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Gelfand,	McLaughlin,	Rudisill,
Arlene,	George,	Machmer,	Sakulsky,
Auker,	Gramlich,	Magee,	Scarcell,
Balthaser,	Guthrie,	Mahan,	Schaaf,
Blair,	Hamilton,	Markley,	Schuster,
Boies,	Heffner,	Maxwell,	Schwartz,
Bonner,	Helm,	Meholchick,	Seltzer,
Boris,	Henzel,	Merry,	Sherman,
Bower,	Holliday,	Mihm,	Shupnik,
Bowman,	Holt,	Miller, B. Z.,	Silverman,
Branca,	Horst,	Miller, H. G.,	Snare,
Breth,	Irviss,	Mills,	Snider,
Buchanan,	Jenkins,	Monroe,	Stank,
Burns,	Jim,	Muldowney,	Steckel,
Capano,	Jones, F. R.,	Mullen,	Stevens,
Capitolo,	Jones, T. H. W.,	Munley,	Stimmel,
Cianfrani,	Jump,	Murphy, A. J., Jr.,	Stewart,
Cioffi,	Kamyk,	Murphy, P. J.,	Stone,
Clarke,	Kee,	Murray, H. P.,	Stoner,
Comer,	Kessler,	Murray, J. J.,	Strausser,
Crossin,	Knecht,	Musto,	Stroup,
Curwood,	Kooker,	Naugle,	Taylor,
Dennison,	Kornick,	Needham,	Trusio,
Devlin,	Korns,	Nelson,	Ujobai,
Donahue,	Kovolenko,	O'Dell,	Varallo,
Dougherty,	Kubitsky,	O'Donnell, J. A.,	Varnier,
Down,	Lamb,	O'Donnell, J. P.,	Verona,
Ellberg,	Lee, A. M.,	O'Neil,	Walsh,
Eshback,	Lee, K. B.,	Parlante,	Wargo,
Ewing,	Leonard,	Pashley,	Welsh,
Filo,	Light,	Perry, H. H.,	Wescott,
Fineman,	Limper,	Perry, P. E.,	Wheeler,
Floyd,	Lopresti,	Petrosky,	Whittaker,
Flynn,	Luigard,	Polaski,	Williams, A. D. Jr.,
Fox,	Lutty,	Polen,	Williams, E. S.,
Frank,	McCandless,	Price,	Willard,
Frascella,	McCann,	Reibman,	Worley,
Fulmer,	McCormack,	Reidenbach,	Wynd,
Gailey,	McDonald,	Renwick,	Yatron,
Gallagher,	McInroy,	Riley,	Yetter,
Garlock,	McKeever,	Rovansek,	Andrews,

Speaker

## NAYS—33

Agnew,	Eshleman,	Johnson, R.,	Rigby,
Ashton,	Fetterolf,	Kelser,	Royer,
Barton,	Gibb,	Kernaghan,	Tompkins,
Bell,	Goldstein,	Lippincott,	Wall,
Brenninger,	Goodrich,	Murray, P. G.,	Weidner,
Davis,	Hocker,	Odorisio,	Wilt,
Dengler,	Isaacs,	Ogilvie,	Wood,
Donaldson,	Johnson, A. W.,	Pursley,	Zimmerman,
Edwards,			

## NOT VOTING—11

Brown,	Farabaugh,	Moran,	Thompson,
Cooper,	Foerster,	Prendergast,	Willard,
Dennis,	Heavy,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 853, entitled:

An Act amending the "Public School Code" approved March 10, 1949 (P. L. 30) changing provisions relating to the approval of projects for reimbursement purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—169

Anderson,	George,	Machmer,	Sakulsky,
Arlene,	Goldstein	Magee,	Scarcelli,
Ashton,	Guthrie,	Mahan,	Schaaf,
Balthaser,	Hamilton,	Markley,	Schuster,
Barton,	Heffner,	Maxwell,	Schwartz,
Bell,	Helm,	Meholchick,	Seltzer,
Blair,	Henzel,	Merry,	Sherman,
Boles,	Holt,	Mihm,	Shupnik,
Bonner,	Isaacs,	Miller, B. Z.,	Silverman,
Boris,	Irviss,	Mills,	Snare,
Bower,	Jenkins,	Monroe,	Snider,
Branca,	Jim,	Muldowney,	Stank,
Breth,	Johnson, A. W.,	Mullen,	Steckel,
Buchanan,	Johnson, R.,	Munley,	Stewart,
Burns,	Jones, F. R.,	Murphy, A. J., Jr.	Stimmel,
Capano,	Jones, T. H. W.,	Murray, H. P.,	Stone,
Capitolo,	Jump,	Murray, J. J.,	Stoner,
Cianfrani,	Kamyk,	Murray, P. G.,	Strausser,
Cioffi,	Kee,	Murphy, P. J.,	Stroup,
Clarke,	Kernaghan,	Musto,	Taylor,
Comer,	Knecht,	Naugle,	Tompkins,
Crossin,	Kooker,	Needham,	Trusio,
Curwood,	Kornick,	Nelson,	Ujobai,
Dengler,	Korns,	O'Dell,	Varallo,
Devlin,	Kovolenko,	O'Donnell, J. A.,	Varner,
Donahue,	Kubitsky,	O'Donnell, J. P.	Verona,
Dougherty,	Lamb,	Odorisio,	Walsh,
Down,	Lee, A. M.,	O'Neil,	Wargo,
Edwards,	Lee, K. B.,	Parlante,	Weidner,
Ellberg,	Leonard,	Pashley,	Welsh,
Eshleman,	Limper,	Perry, H. H.,	Wescott,
Filo,	Lippincott,	Perry, P. E.,	Wheeler,
Fineman,	Lopresti,	Petrosky,	Whittaker,
Floyd,	Lulgard,	Polaski,	Williams, A. D., Jr.,
Flynn,	Lutty,	Polen,	Williams, E. S.,
Fox,	McCandless,	Price,	Wood,
Frank,	McCann,	Reibman,	Worley,
Frascella,	McCormack,	Reidenbach,	Wynd,
Galley,	McDonald,	Renwick,	Yatron,
Gallagher,	McInroy,	Riley,	Yetter,
Garlock,	McKeever,	Rovasek,	Zimmerman,
Gelfand,	McLaughlin,	Royer,	Andrews,
		Rudisill,	Speaker

#### NAYS—28

Agnew,	Eshback,	Hocker,	Ogilvie,
Auker,	Ewing,	Holliday,	Pursley,
Bowman,	Fetterolf,	Horst,	Rigby,
Brenninger,	Fulmer,	Kelser,	Stevens,
Davis,	Gibb,	Kessler,	Wall,
Dennison,	Goodrich,	Light,	Willaredt,
Donaldson,	Gramlich,	Miller, H. G.,	Wilt,

#### NOT VOTING—11

Brown,	Farabaugh,	Moran,	Thompson,
Cooper,	Foerster,	Prendergast,	Willard,
Dennis,	Heavey,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 910, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the computation and payment of tuition charges for non-resident pupils.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

#### BILL PASSED OVER

There being no objection,

House Bill No. 953, Printer's No. 1083, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 5, page 4, line 13, by striking out "purchase" and inserting: "purchaser."

Amend Sec. 6, page 6, line 14, by striking out "by" and inserting: "by."

Amend Sec. 6, page 7, line 2, by striking out "(d)" and inserting: "(e)."

Amend Sec. 6, page 7, line 6, by striking out "action" and inserting: "Action."

Amend Sec. 7, page 7, line 15, by inserting after "intervals": "(no oftener than once every six months)."

Amend Sec. 7, page 7, line 20, by striking out "an installment payment" and inserting: "all installment payments."

Amend Sec. 7, page 8, by inserting between lines three and four:

"Seller shall not require purchaser to make payment of principal balance due on the contract unless and until said principal balance has been reduced by payments on account thereof to a sum not more than 66 2/3% of the original principal set forth in the installment land contract except if seller agrees to take purchaser's purchase money mortgage for the full balance of the principal then due or secures a mortgage for the full balance of the principal then due from a third party, said mortgage to be for a term of not less than fifteen years."

Amend Sec. 7, page 8, line 10, by striking out "when" and inserting: "When."

Amend Sec. 7, page 9, line 3, by striking out "the" and inserting: "The."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.



On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1018, Printer's No. 1086  
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1033, entitled:

An Act amending the act of May 27, 1937 (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof \* \* \*" by extending the coverage to stuffed toys.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—197

Agnew,	Gallagher,	McDonald,	Royer,
Anderson,	Garlock,	McInroy,	Rudisill,
Arlene,	Gelfand,	McKeever,	Sakulsky,
Ashton,	George,	McLaughlin,	Scarcelli,
Auker,	Gibb,	Machmer,	Schaaf,
Balthaser,	Goldstein,	Magee,	Schuster,
Barton,	Goodrich,	Mahan,	Schwartz,
Bell,	Gramlich,	Markley,	Seltzer,
Blair,	Guthrie,	Maxwell,	Sherman,
Boles,	Hamilton,	Meholchick,	Shupnik,
Bonner,	Heffner,	Merry,	Silverman,
Boris,	Helm,	Mihm,	Snare,
Bower,	Henzel,	Miller, B. Z.,	Snider,
Bowman,	Hocker,	Miller, H. G.,	Stank,
Branca,	Holliday,	Mills,	Steckel,
Brenninger,	Holt,	Monroe,	Stevens,
Breth,	Horst,	Muldowney,	Stewart,
Buchanan,	Irvis,	Mullen,	Stimmel,
Burns,	Isaacs,	Munley,	Stone,
Capano,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Jim,	Murphy, P. J.,	Strusser,
Cianfrani,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Cioffi,	Johnson, R.,	Murray, J. J.,	Taylor,
Clarke,	Jones, F. R.,	Murray, P. G.,	Tompkins,
Comer,	Jones, T. H. W.,	Musto,	Trusio,
Crossin,	Jump,	Naugle,	Ujobal,
Curwood,	Kamyk,	Needham,	Varallo,
Davis,	Kee,	Nelson,	Varnier,
Dengler,	Keiser,	O'Dell,	Verona,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Wall,
Devlin,	Kessler,	O'Donnell, J. P.	Walsh,
Donahue,	Knecht,	Odorisio,	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weidner,
Dougherty,	Kornick,	O'Neill,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Wheeler,
Ellberg,	Kubitsky,	Perry, H. H.,	Whittaker,
Eshback,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Ewing,	Lee, K. B.,	Polaski,	Willaredt,
Fetterolf,	Leonard,	Polen,	Wilt,
Filo,	Light,	Price,	Wood,
Fineman,	Limper,	Pursley,	Worley,
Floyd,	Lippincott,	Reibman,	Wynd,
Flynn,	Lopresti,	Reidenbach,	Yatron,
Fox,	Luigard,	Renwick,	Yetter,
Frank,	Lutty,	Rigby,	Zimmerman,
Frascella,	McCandless,	Riley,	Andrews,
Fulmer,	McCann,	Rovansek,	Speaker
Galley,	McCormack,		

#### NAYS—0

#### NOT VOTING—11

Brown,	Farabaugh,	Moran,	Thompson,
Cooper,	Foerster,	Prendergast,	Willard,
Dennis,	Heavey,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1059, Printer's No. 764,  
was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1063, entitled:

An Act amending the "Chiropody Act of 1956" approved March 2, 1956 (P. L. 1206) providing for licensure of and practice of chiropody by certain persons previously entitled to practice chiropody.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. BOIES. Mr. Speaker, I move that this bill be re-committed to the Committee on Professional Licensure for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1067, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing departments boards and commissions to train personnel.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—118

Anderson,	Galley,	Markley,	Rudisill,
Arlene,	Gallagher,	Maxwell,	Sakulsky,
Balthaser,	Garlock,	Meholchick,	Scarcelli,
Blair,	Gelfand,	Mihm,	Schaaf,
Boles,	Goldstein,	Mills,	Schuster,
Bonner,	Hamilton,	Monroe,	Schwartz,
Bower,	Holt,	Muldowney,	Sherman,
Branca,	Irvis,	Mullen,	Shupnik,
Breth,	Jenkins,	Munley,	Silverman,
Burns,	Jim,	Murphy, A. J., Jr.	Snider,
Capano,	Johnson, A. W.,	Murray, J. J.,	Stank,
Capitolo,	Jones, F. R.,	Musto,	Steckel,
Cianfrani,	Jump,	Needham,	Stewart,
Cioffi,	Kamyk,	Nelson,	Stimmel,
Clarke,	Kornick,	O'Donnell, J. A.,	Stone,
Comer,	Korns,	O'Donnell, J. P.	Taylor,
Crossin,	Kovolenko,	O'Neill,	Trusio,
Curwood,	Kubitsky,	Parlante,	Varallo,
Devlin,	Lamb,	Pashley,	Verona,
Dougherty,	Leonard,	Perry, H. H.,	Walsh,
Edwards,	Limper,	Perry, P. E.,	Wargo,
Ellberg,	Lopresti,	Petrosky,	Welsh,
Filo,	Luigard,	Polaski,	Wheeler,

Fineman, Floyd, Flynn, Fox, Frank, Frascella, Fulmer,	Lutty, McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer,	Polen, Price, Reibman, Reidenbach, Renwick, Riley, Rovansek,	Williams,A.D.,Jr., Worley, Yatron, Yetter, Andrews, Speaker
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NAYS—76

Agnew, Ashton, Auker, Barton, Bell, Boris, Bowman, Brenninger, Buchanan, Davis, Dengler, Dennison, Donahue, Donaldson, Down, Eshback, Eshleman, Ewing, Fetterolf,	George, Gibb, Goodrich, Gramlich, Guthrie, Heffner, Helm, Henzel, Hocker, Holliday, Horst, Isaacs, Johnson, R., Jones, T. H. W., Kee, Kelser, Kernaghan, Kessler, Kooker,	Lee, A. M., Lee, K. B., Light, Lippincott, McCandless, McInroy, Magee, Mahan, Merry, Miller, B. Z., Miller, H. G., Murphy, P. J., Murray, H. P., Murray, P. G., O'Dell, Odorisio, Ogilvie, Pursley, Rigby,	Royer, Seltzer, Snare, Stevens, Stoner, Strausser, Stroup, Tompkins, Ujobal, Varner, Wall, Weidner, Wescott, Whittaker, Williams, E. S., Willaredt, Wilt, Wood, Zimmerman,
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NOT VOTING—14

Brown, Cooper, Dennis, Farabaugh,	Foerster, Heavey, Knecht, Moran,	Naugle, Prendergast, Sullivan,	Thompson, Willard, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1148, Printer's No. 1144, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1308, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility act and other acts relating to the ownership possession and use of vehicles and tractors" regulating the movement of trash-laden vehicles during certain hours.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. J. P. O'DONNELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles. The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1365, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) changing applicability of act.

And said bill having been read at length the third time and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Anderson, Arlene, Boles, Bonner, Branca, Breth, Burns, Capitolo, Clanfrani, Cloff, Clarke, Comer, Crossin, Curwood, Devlin, Dougherty, Ellberg, Fillo, Fineman, Floyd, Flynn, Frank, Frascella, Galley, Gallagher,	Garlock, Gelfand, Hamilton, Holt, Irvis, Jenkins, Jim, Jones, F. R., Jump, Kamyk, Kornick, Kovolenko, Kubitsky, Lamb, Leonard, Limper, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer,	Maxwell, Meholchick, Mihm, Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr. Murray, J. J., Musto, Nelson, O'Donnell, J. A., O'Donnell, J. P. O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Reibman, Reidenbach, Renwick,	Riley, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snider, Stone, Taylor, Trusio, Vallo, Verona, Walsh, Wargo, Welsh, Wheeler, Worley, Yatron, Yetter, Andrews, Speaker
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NAYS—94

Agnew, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boris, Bower, Bowman, Brenninger, Buchanan, Capano, Davis, Dengler, Dennison, Donahue, Donaldson, Down, Edwards, Eshback, Eshleman, Ewing, Fetterolf,	Fox, Fulmer, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Heffner, Helm, Henzel, Hocker, Holliday, Horst, Isaacs, Johnson, A. W., Johnson, R., Jones, T. H. W., Kee, Kelser, Kernaghan, Kessler, Kooker, Korns,	Lee, A. M., Lee, K. B., Light, Lippincott, McCandless, McInroy, Magee, Mahan, Markley, Merry, Miller, B. Z., Miller, H. G., Murray, H. P., Murray, P. G., Needham, O'Dell, Odorisio, Ogilvie, Price, Pursley, Rigby, Rovansek, Royer,	Seltzer, Snare, Stank, Steckel, Stevens, Stewart, Stimmel, Stoner, Strausser, Stroup, Tompkins, Ujobal, Varner, Wall, Weidner, Wescott, Whittaker, Williams,A.D.,Jr., Williams, E. S., Willaredt, Wilt, Wood, Zimmerman,
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NOT VOTING—15

Brown, Cooper, Dennis, Farabaugh,	Foerster, Heavey, Knecht, Moran,	Murphy, P. J., Naugle, Prendergast, Sullivan,	Thompson, Willard, Wynd,
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1372, entitled:

An Act amending "The Administrative Code of 1929" (P. L. 177) requiring that a member of the State Board of Cosmetology be an owner of a school of Cosmetology.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOIES. Mr. Speaker, House Bill No. 1372, I think



should have some kind of a prize as being the most ridiculous bill introduced in this Session. By the way, I hope the Members realize that this bill did not come out of the Professional Licensure Committee.

I know of no other examining board that permits anyone connected with a school to serve on the examining board. This bill would make it compulsory, mandatory, to put the owner of a school of Cosmetology on an examining board where they would examine candidates from their own school for licensure under the Board of Cosmetology.

I can think of nothing more ridiculous, or beyond the bounds of reason than to permit such a thing, let alone make it mandatory, and I ask the Members of the House to vote this bill down.

Mr. SILVERMAN. Mr. Speaker, on the contrary, I believe there is a member of a school on the Board at the present time. The Board has functioned very successfully, and I think it is part of the democratic process to have all walks of people represented. Practically every board has someone that does own a shop. I think on your barbering board, you have people who own barber shops, and there has been nothing wrong. As a matter of fact, the Board has functioned very successfully, and rather than the booby prize that the good Doctor suggests, I suggest that this House pass this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question ,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—64

Anderson,	Heffner,	Meholchick,	Scarcelli,
Arlene,	Henzel,	Merry,	Schuster,
Auker,	Holt,	Mihm,	Schwartz,
Balthaser,	Jones, F. R.,	Miller, H. G.,	Sherman,
Bower,	Jump,	Monroe,	Silverman,
Capano,	Kernaghan,	Munley,	Snider,
Capitolo,	Kubitsky,	O'Donnell, J. A.,	Taylor,
Comer,	Leonard,	Odoriso,	Tompkins,
Dengler,	Limper,	O'Neil,	Trusio,
Ellberg,	Lopresti,	Pashley,	Varallo,
Eshback,	Lutty,	Polaski,	Wheeler,
Fineman,	McCann,	Reibman,	Worley,
Floyd,	McCormack,	Reidenbach,	Yatron,
Flynn,	McKeever,	Riley,	Yetter,
Frank,	Machmer,	Rovansek,	Andrews,
Frascella,	Markley,	Sakulsky,	Speaker
Guthrie,			

## NAYS—125

Agnew,	Garlock,	Lippincott,	Royer,
Ashton,	Gelfand,	Lulgard,	Rudisill,
Barton,	George,	McCandless,	Schaaf,
Bell,	Gibb,	McDonald,	Seltzer,
Boris,	Goldstein,	McInroy,	Shupnik,
Boles,	Goodrich,	McLaughlin,	Snare,
Bonner,	Gramlich,	Magee,	Stank,
Bowman,	Hamilton,	Mahan,	Steckel,
Branca,	Helm,	Maxwell,	Stevens,
Brenninger,	Hooker,	Miller, B. Z.,	Stewart,
Breth,	Holliday,	Mills,	Stimmel,
Buchanan,	Horst,	Muldowney,	Stone,
Burns,	Irvis,	Murphy, P. J.,	Stoner,
Clanfrani,	Isaacs,	Murray, J. J.,	Strausser,
Clarke,	Jenkins,	Murray, P. G.,	Stroup,
Crossin,	Jim,	Murray, H. P.,	Ujobal,
Curwood,	Johnson, A. W.,	Musto,	Varnier,
Davis,	Johnson, R.,	Needham,	Verona,
Dennison,	Jones, T. H. W.,	Nelson,	Wall,
Devlin,	Kamyk,	O'Dell,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Ogilvie,	Weldner,

Down,  
Edwards,  
Eshleman,  
Ewing,  
Fetterolf,  
Filo,  
Fox,  
Fulmer,  
Galley,  
Gallagher,

Kessler,  
Kooker,  
Kornick,  
Korns,  
Kovolenko,  
Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Light,

Parlante,  
Perry, H. H.,  
Perry, P. E.,  
Petrosky,  
Polen,  
Price,  
Pursley,  
Renwick,  
Rigby,

Welsh,  
Wescott,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willaredt,  
Wilt,  
Wood,  
Zimmerman,

## NOT VOTING—19

Blair,  
Brown,  
Cioffi,  
Cooper,  
Dennis,

Dougherty,  
Farabaugh,  
Foerster,  
Heavy,  
Knecht,

Moran,  
Mullen,  
Murphy, A. J., Jr.,  
Naugle,  
Prendergast,

Sullivan,  
Thompson,  
Willard,  
Wynd,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

## BILLS PASSED OVER

There being no objection,

House Bill No. 1376, Printer's No. 632, and

House Bill No. 1405, Printer's No. 1042,

were passed over at the request of Mr. McCANN.

Mr. McCANN. Mr Speaker, the hour of 7:30 p.m. having arrived, we would like to now call up just the bills that are to be amended or recommitted.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1430 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1430, entitled:

An Act repealing section 1035 act of April 29, 1959 (Act No 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

On the question,

Will the House agree to the bill on third reading?

Mr. WARGO asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Title, page 2, fourteenth and fifteenth lines of Title, by striking out "The Motor Vehicle Code The Tractor Code."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection,

House Bill No. 1456, Printer's No. 1043,  
was passed over at the request of Mr. McCANN.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1457 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1457, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198) increasing the amount of bond and clarifying a provision relating to overburden.

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4), page 3, line 12, by striking out "four hundred fifty dollars (\$450.00)" and inserting: "four hundred dollars (\$400.00)."

Amend Sec. 1 (Sec. 4), page 3, lines 16 and 17, by striking out "four thousand five hundred dollars (\$4500.00)" and inserting: "four thousand dollars (\$4000.00)."

Amend Sec. 1 (Sec. 8), page 6, line 17, by striking out "four hundred fifty dollars (\$450.00)" and inserting: "four hundred dollars (\$400.00)."

Amend Sec. 1 (Sec. 8), page 7, line 10, by striking out "four thousand five hundred dollars (\$4500.00)" and inserting: "four thousand dollars (\$4000.00)."

Amend Sec. 1 (Sec. 8), page 7, line 14, by striking out "four thousand five hundred dollars (\$4500.00)" and inserting: "four thousand dollars (\$4000.00)."

Amend Sec. 1 (Sec. 10), page 7, line 19, by inserting a bracket before "unmined".

Amend Sec. 1 (Sec. 10), page 7, line 19, by striking out the bracket before "least".

Amend Sec. 1 (Sec. 10), page 8, lines 5 and 6, by striking out "the top of the highwall and shall extend to the bottom of the pit at an angle not to exceed forty (40) degrees" and inserting: "highwall to a height of one-half the distance from the bottom of the pit to the top of the highwall, which backfill shall extend from said point on the highway to the bottom of the pit at an angle not to exceed forty-five (45) degrees."

Amend Sec. 1 (Sec. 10), page 8, line 15, by inserting a bracket before "over" and after "coal" and inserting immediately thereafter: "as herein provided."

Amend Sec. 1 (Sec. 10), page 8, line 17, by striking out "four hundred fifty dollars (\$450.00)" and inserting: "four hundred dollars (\$400.00)."

The SPEAKER. Will the House given unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1639 on page 1149 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) extending the term of the lien of certain municipal claims the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to six years.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 2 (Sec. 15), page 9, line 5, by striking out "taxes" where it appears the second time, and inserting: "rates".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1739 on page 24 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1739, entitled:

An Act amending the "Gas Operations Well-Drilling Petroleum and Coal Mining Act approved November 30, 1955 (P. L. 756) further regulating the drilling casing and plugging of wells whether or not such wells pass through workable coal seams \* \* \*.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mineral Industries.

The motion was agreed to.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1802 on page 24 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1802, entitled:

An Act authorizing paid members of fire departments in third class cities to bargain collectively with the cities.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.



The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, by inserting between lines 7 and 8: "Organization" as used in this act shall mean a representative or representatives chosen from within the membership of the firemen's organization in the city concerned."

Amend Sec. 4, page 3, line 19, by inserting after "sub-division": "All members of the arbitration panel shall be residents of the city concerned."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1805, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing for the spraying and control of insects on public or private property.

On the question,

Will the House agree to the bill on third reading?

Mr. BALTHASER asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1202), page 2, line 4, by striking out "insect" and inserting "tent caterpillars."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1893 on page 26 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1893, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing that the additional examination required for school bus operators shall also apply to operators of buses subject to the jurisdiction of the Pennsylvania Public Utility Commission which carry school children.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 609), page 2, line 13, by inserting after "employed": "or any physician giving the physical examination prescribed by the school district."

Amend Sec. 1 (Sec. 609), page 3, line 7, by inserting after "School": "and whether or not."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1915 on page 27 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service typewriters \* \* \* for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2.1), page 2, line 13, by inserting after "September": "The provisions of this section shall not apply in counties of the second class."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1976 on page 28 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1976, entitled:

An Act relating to the public practice of certified public real estate valuers providing for the certification of persons desiring to practice and the listing of persons

engaged in practicing as certified public real estate valuers and for the suspension and revocation of such certificates subject to appeal and for their reinstatement \* \* \* defining unlawful acts and acts not unlawful and providing penalties.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1997 on page 28 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1997, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) including certain diseases of fire-fighters within the meaning of the term occupational disease.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

#### BILL ON FINAL PASSAGE

Mr. McCANN. Mr. Speaker, I request that we return to page 14 of today's calendar, House Bill No. 1542.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1542, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804) entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \* \* \*" changing the provisions regulating the age at which a member of the police force may retire.

#### RECONSIDERATION OF VOTE

Mr. CURWOOD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the bill on third reading?

Mr. CURWOOD asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 13, by striking out the bracket before "of" and after "members" and inserting immediately thereafter: "or maintaining a police force of one or two members only which positions are covered by the Federal Social Security Laws."

Amend Sec. 1 (Sec. 1), page 2, line 14, by inserting after "shall": "and each borough, town and township maintaining a regular police force of one or two members only which positions are not covered by the Federal Social Security Laws may."

Amend Sec. 1 (Sec. 12), page 4, line 10, by striking out the bracket before "of" and after "members."

Amend Sec. 1 (Sec. 12), page 4, line 10, by inserting a

bracket before "except" and after "the" and inserting immediately thereafter: "or maintaining a regular police force of one or two members only, where such positions are covered by the Federal Social Security Laws, and insofar as they apply to any borough, town or township having established under the provisions of this act a police pension fund or pension annuity for the members of a regular police force consisting of one or two members only who are not covered by the Federal Social Security Laws. The."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none..

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all bills that have not been acted upon be passed over.

The SPEAKER. The Chair hears no objection, and the bills are passed over.

#### REPORTS FROM COMMITTEE

Mr. SILVERMAN from the Committee on Public Health and Sanitation, re-reported as committed, House Bill No. 740, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P L 177) prescribing powers and duties of the Department of Health relating to radioactive materials.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 474, entitled:

An Act amending the act of June 25 1947 (P L 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" increasing the salaries of certain county officers.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 475, entitled:

An Act amending the act of June 25 1947 (P L 947) entitled "An act relating to annual salaries of certain county officers of counties of the fourth class" increasing the salaries of certain county officers.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 476, entitled:

An Act amending the act of June 25 1947 (P L 972) entitled "An act relating to the annual salaries of certain county officers of the fifth class" increasing the salaries of certain county officers.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 480, entitled:

An Act amending the act of May 6 1874 (P L 125) entitled "An act regulating state tax on certain county offices" increasing the maximum amount of fees that certain offices may retain.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 481, entitled:

An Act amending the act of July 29 1953 (P L 981)



entitled "An act fixing the fees and mileage of the coroner in counties of the third class" increasing certain fees.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 482, entitled:

An Act amending the act of January 7 1952 (P L 1844) entitled as amended "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes" increasing certain fees.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 483, entitled:

An Act amending the act of May 13 1949 (P L 1328) entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class" increasing certain fees.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 485, entitled:

An Act amending the act of June 4 1937 (P L 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" defining "county employe" providing a service allowance for certain per diem employes further providing for a superannuation retirement allowance increasing the period of time during which a contributor may be reinstated and limiting the exception or execution.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 486, entitled:

An Act amending the act of July 8 1941 (P L 298) entitled "Fourth Class County Retirement Law" defining "county employe" setting the time for designating a beneficiary increasing the period of time during which a contributor may be reinstated increasing the total disability retirement allowance and limiting the exemption on execution.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 487, entitled:

An Act amending the act of August 5 1941 (P L 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" defining "County Employes" "Original Member" and "New Member" providing for compulsory membership and the method of making monthly payments increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act amending the act of June 25 1947 (P L 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" increasing the salaries of certain county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 475, entitled:

An Act amending the act of June 25 1947 (P L 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" increasing the salaries of certain county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 476, entitled:

An Act amending the act of June 25 1947 (P L 972) entitled "An act relating to the annual salaries of county officers of counties of the fifth class" increasing the salaries of certain county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 480, entitled:

An Act amending the act of May 6 1874 (P L 125) entitled "An act regulating state tax on certain county offices" increasing the maximum amount of fees that certain offices may retain.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 481, entitled:

An Act amending the act of July 29 1953 (P L 981) entitled "An act fixing the fees and mileage of the coroner in counties of the third class" increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 482, entitled:

An Act amending the act of January 7 1952 (P L 1844) entitled as amended "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes" increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 483, entitled:

An act amending the act of May 13 1949 (P L 1328) entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class" increasing certain fees,

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 485, entitled:

An Act amending the act of June 4 1937 (P L 1625) entitled "An act providing for the creation maintenance and operation of a county employe retirement system in counties of the third class and imposing certain charges on counties" defining "county employe" providing a service allowance for certain per diem employes further providing for a superannuation retirement allowance increasing the period of time during which a contributor may be reinstated and limiting the exception or execution.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 486, entitled:

An Act amending the act of July 8 1941 (P L 298) entitled "Fourth Class County Retirement Law" defining "county employe" setting the time for designating a beneficiary increasing the period of time during which a contributor may be reinstated increasing the total disability retirement allowance and limiting the exemption on execution.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 487, entitled:

An Act amending the act of August 5 1941 (P L 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" defining "County Employe" "Original Member" and "New Member" providing for compulsory membership and the method of making monthly payments increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### RECONSIDERATION OF VOTE ON HOUSE BILL No. 1242

Mr. McCANN. Mr. Speaker, I move that the vote by which House Bill No. 1242, Printer's No. 1130, entitled:

"An Act amending the 'Vehicle Code' of April 29, 1959 (Act No. 32), entitled 'An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors', increasing penalties for speeding."

was defeated on Final Passage Wednesday, July 22, 1959, be reconsidered.

Mr. LOPRESTI. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Cambria, Mr. Lopresti, vote on the final passage of this bill?

Mr. LOPRESTI. Mr. Speaker, I voted with the prevailing side.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. WARGO. Mr. Speaker, I move that House Bill No. 1115, Printer's No. 367, together with communication from the Senate be taken from the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1115 FROM GOVERNOR

In the House of Representatives, July 16, 1959.

Resolved (if the Senate concur), That House Bill No. 1115, Printer's No. 367, entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.49 acres more or less of land situate in Abington Township Lackawanna County," be recalled from the Governor for the purpose of amendment.

#### RECONSIDERTION OF VOTE

Mr. WARGO. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. EDWARDS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lackawanna, Mr. Wargo, vote on the final passage of this bill?

Mr. WARGO. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Lackawanna, Mr. Edwards, vote on the final passage of this bill?

Mr. EDWARDS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. WARGO. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WARGO asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, line 2 of the Title, by striking out "1.49" and inserting: "1.82".

Amend Section 1, page 2, lines 2 to 19, page 3, lines 1 to 7, by striking out all of said lines and inserting: "Beginning at a concrete monument located on the northerly side of Pennsylvania State Highway Route 307 (Legislative Route 671) known as the Morgan Highway



and in line of lands of now or late John I. Lance: thence along the northerly side of said highway north eighty degrees twenty-three minutes west 130.2 feet to a point; thence still along the northerly side of the said highway south eighty-four degrees fifty minutes west 371 feet to a point in line of a wire fence; thence south eighty-four degrees forty-three minutes west 199.10 feet to a point; thence along a curve to the right having a length of 72.40 feet and a radius of 25.0 feet to a point on the southerly right-of-way line of Pennsylvania State Highway Route 6 (Legislative Route 365); thence along said right-of-way line and along a curve to the right having a radius of 3789.83 feet and in a northerly direction for a distance of 191.84 feet to a point also in the southerly right-of-way line of Pennsylvania State Highway Route 6 (Legislative Route 365); thence along said right-of-way line the following courses and distances on a curve to the right (1) north seventy-four degrees fifteen minutes east 100 feet to a point (2) north seventy-four degrees forty minutes east 100 feet to a point (3) north seventy-seven degrees five minutes east 100 feet to a point (4) north seventy-eight degrees thirty-seven minutes east 100 feet to a point (5) south eighty degrees forty-one minutes east 72.85 feet to an iron pipe at the end of a stone wall and being 30 feet south of the center line of Pennsylvania Highway Route 6 (Legislative Route 365); thence along the center of said stone wall and lands of now or formerly of John I. Lance south twenty-two degrees twenty-three minutes east 178.3 feet to the place of beginning. Containing 1.82 acres of land, more or less.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1530.

An Act amending "The Vehicle Code" approved April 29 1959 (P. L. ) No 32 by providing that no registration plates shall be issued to any person who has failed to pay for previously issued plates.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1665.

An Act amending "The Vehicle Code" approved April 29 1959 (Act No. 32) clarifying the term "child" or "children" when it is used to indicate their entering or leaving a school bus.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 463.

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls \* \* \*" requiring memorial halls to contain rooms for meetings of the Italian American World War Veterans of the United States Incorporated.

HOUSE BILL No. 464.

An Act amending "The County Code" approved August 9 1955 (P. L. 323) authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to defray the costs of Memorial Day and Armistice Day.

HOUSE BILL No. 465.

An Act amending the act of April 8 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the peddling of labeled flowers of the Italian American World War Veterans of the United States Incorporated.

HOUSE BILL No. 469.

An Act amending "The County Code" approved August 9 1955 (P. L. 323) providing rooms for use of the Italian American World War Veterans of the United States Incorporated and for its membership on the board of control.

HOUSE BILL No. 1936.

An Act amending the compact contained in the act of June 5 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" designating the lake area on which motor boats may be operated and providing penalties.

With the information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 33.

An Act amending the act of June 18 1941 (P. L. 137)

entitled "An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by their fire companies in any city borough town and township" extending the rights and powers of special fire police to other duties performed upon request of municipal authorities.

#### HOUSE BILL No. 272.

An Act requiring State licensing boards and agencies to give credit for training received in the armed services of the United States toward requirements for internship clerkship apprenticeship and other job training as a prerequisite to issuing a license.

#### HOUSE BILL No. 466.

An Act amending the "Second Class County Code" approved July 28 1953 (P. L. 723) authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

#### HOUSE BILL No. 468.

An Act amending the "Second Class County Code" approved July 28 1953 (P. L. 723) further regulating membership of the board of managers of the memorial monument or memorial hall in honor of the soldiers sailors and marines of the county and providing rooms for use of the Italian American World War Veterans of the United States Incorporated.

#### HOUSE BILL No. 472.

An Act amending the act of June 2 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A \* \* \* to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day" authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated.

#### HOUSE BILL No. 751.

An Act amending the act of June 1 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes \* \* \*" providing for the use of twenty-five per centum of the money allocated in townships of the second class.

#### HOUSE BILL No. 810.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) authorizing the establishment of a Shade Tree Commission and providing for its personnel powers and duties.

#### HOUSE BILL No. 878.

An Act amending "The Third Class City Code" approved June 23 1931 (P. L. 932) providing for the payment of service increments to firemen in addition to their pensions.

#### HOUSE BILL No. 957.

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) providing the procedure for a change of classification.

#### HOUSE BILL No. 1070.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21 1943 (P. L. 571) exempting certain properties from taxation.

#### HOUSE BILL No. 1074.

An Act amending the "Funeral Director Law" approved January 14, 1952 (P. L. 1898) providing for a State Board of Funeral Directors in the Department of Public Instruction.

#### HOUSE BILL No. 1100.

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) authorizing the cutting or cropping of dogs' ears by veterinarians.

#### HOUSE BILL No. 1220.

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) providing for continuing operation of joint school systems when one or more member districts fail to unite with other member districts in the formation of a union or merged school district.

#### HOUSE BILL No. 1231.

An Act amending the "Liquor Code" approved April 12 1951 (P. L. 90) excepting certain restaurants at airports from the quota limitations.

#### HOUSE BILL No. 1273.

An Act amending "The General County Assessment Law" approved May 22 1933 (P. L. 853) exempting certain property from taxation.

#### HOUSE BILL No. 1326.

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) authorizing certain county boards to establish and operate audio-visual libraries and providing for the costs thereof.

#### HOUSE BILL No. 1400.

An Act amending "The Borough Code" approved May 4 1927 (P. L. 519) further regulating the election of councilmen.

#### HOUSE BILL No. 1429.

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

#### HOUSE BILL No. 1511.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) changing the fees to be charged by the commission for copies of papers testimony and records.

#### HOUSE BILL No. 1685.

An Act amending "The Vehicle Code" approved April 29 1959 (Act No 32) by extending the term "workmen" to include public utility employees when working on the highways.

#### HOUSE BILL No. 1808.

An Act amending "The Third Class City Code" approved June 23 1931 (P L 932) authorizing pension payments to retired members of fire departments regardless of employment for compensation.

#### HOUSE BILL No. 2076.

An Act amending the "Second Class County Code" approved July 28 1953 (P L 723) further regulating the amount of retirement allowances and payments to the retirement fund by the county and by employees.



## HOUSE BILL No. 2128.

An Act reenacting and amending clause (2) of section 9 act of May 25 1933 (P L 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \* \* \*" providing for a time when payments shall first be made to the widow and children of members who are killed while on duty.

## HOUSE BILL No. 2132.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22 1935 (P L 233) providing a time when payment of pensions upon disability shall first be made.

## HOUSE BILL No. 2135.

An Act reenacting and amending Secs 11 and 11.1 act of May 25 1933 (P L 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the fire in cities of the second class \* \* \*" providing when pension payments to disabled members of the pension fund shall first be made.

## SENATE BILL No. 95.

An Act amending the act of April 29 1959 (Act No 32) entitled "The Vehicle Code" authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

## SENATE BILL No. 665.

An Act amending the act of April 9 1929 (P L 343) entitled "The Fiscal Code" further regulating the security required for deposits of State moneys.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 719, 828, 829 and 830.

Resolution for concurrence recalling bill from Governor, Senate Bill No. 338.

## RESOLUTION

Mr. POLEN offered a resolution which was filed with the Clerk under the Rules.

## COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 131-A, Tuesday, August 4 at 11:00 a. m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, August 4 at 9:15 a. m.

FISHERIES, Mr. Curwood, Chairman, Room 323, Tuesday, August 4 at 11:15 a. m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, August 4 at 10:00 a. m.

JUDICIARY, Mr. Rudisill, Chairman, Room 131-D, Tuesday, August 4 at 10:00 a. m.

The SPEAKER. The Tax Committee will meet tomorrow in the Appropriations Committee room at 11:00 o'clock.

## ADJOURNMENT

Mrs. REIBMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 4, 1959 at 11:00 a. m. EST.

The motion was agreed to, and (at 6:52 p. m. EST), the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, AUGUST 4, 1959.

No. 74.

## SENATE

TUESDAY, AUGUST 4, 1959.

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

## PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Our dear Father in Heaven, we thank Thee for Thy continual care and guidance in our lives. Thou art God and Ruler of the Universe and, yet, Thou dost condescend to look upon each individual one of us and help us in our problems. We pray that we may evermore rely on this help, so that when we come to a point in the day, or in our lives, when we just do not know which way to turn, may Thy Spirit guide us to turn to Thee, for Thou always dost have the right answer.

Bless our work today. Use us to do Thy will, to make life better and more liveable for all peoples. Then, some day, when we come to that mysterious door which leads to the eternal home, may we go with a feeling in our hearts that we have done the best that we could in the circumstances wherein we were, and that we can rest assured that Thou wilt be pleased with our work.

We ask it in Thy Holy Name. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. SCOTT, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting

organizations composed of mothers of men or women who are members of the armed services of the United States during time of combat.

Which was committed to the Committee on Judiciary General.

House Bill No. 385, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the provisions relating to sick leaves for certain State employes.

Which was committed to the Committee on State Government.

House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind, paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 647, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to sick leaves for certain State employes.

Which was committed to the Committee on State Government.

House Bill No. 846, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further regulating the adoption of zoning codes.

Which was committed to the Committee on Local Government.

House Bill No. 847, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

Which was committed to the Committee on Local Government.

House Bill No. 853, entitled:

An Act amending the "Public School Code," approved March 10, 1949 (P. L. 30), changing provisions relating to the approval of projects for reimbursement purposes.

which was committed to the Committee on Education.



House Bill No. 1033, entitled:

An Act amending the act of May 27, 1937 (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; . . ." by extending the coverage to stuffed toys.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1067, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing departments, boards, and commissions to train personnel.

Which was committed to the Committee on State Government.

### BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 33, Printer's No. 502;  
House Bill No. 272, Printer's No. 338;  
House Bill No. 463, Printer's No. 232;  
House Bill No. 464, Printer's No. 233;  
House Bill No. 465, Printer's No. 234;  
House Bill No. 466, Printer's No. 546;  
House Bill No. 468, Printer's No. 547;  
House Bill No. 469, Printer's No. 235;  
House Bill No. 472, Printer's No. 768;  
House Bill No. 751, Printer's No. 835;  
House Bill No. 810, Printer's No. 852;  
House Bill No. 878, Printer's No. 424;  
House Bill No. 957, Printer's No. 285;  
House Bill No. 1070, Printer's No. 864;  
House Bill No. 1074, Printer's No. 425;  
House Bill No. 1100, Printer's No. 312;  
House Bill No. 1220, Printer's No. 625;  
House Bill No. 1231, Printer's No. 467;  
House Bill No. 1273, Printer's No. 867;  
House Bill No. 1326, Printer's No. 693;  
House Bill No. 1400, Printer's No. 830;  
House Bill No. 1429, Printer's No. 983;  
House Bill No. 1511, Printer's No. 703;  
House Bill No. 1530, Printer's No. 1168;  
House Bill No. 1665, Printer's No. 1169;  
House Bill No. 1685, Printer's No. 747;  
House Bill No. 1808, Printer's No. 802;  
House Bill No. 1936, Printer's No. 973;  
House Bill No. 2076, Printer's No. 948;  
House Bill No. 2128, Printer's No. 950;  
House Bill No. 2132, Printer's No. 951; and  
House Bill No. 2135, Printer's No. 953.

### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

#### MEMBER OF THE SNYDER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William K. Thomas (Democrat), Beaver Springs, Snyder County, for appointment as a member of the Snyder County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Clarence M. Bailey, Beavertown, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

July 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Emily Howe, River Road, Beaver, Beaver County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1965, and until her successor shall have been appointed and qualified, vice Mrs. Henriette Kratzert, Monaca, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeanne A. Smith (Democrat), Oil City, Venango County, for appointment as a member of the Venango County Board of Assistance, from January 10, 1958, until December 31, 1959, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Donaldson, Jr., Pittsburgh, Allegheny County, for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adam H. Begel, 142 South Fifth Street, Lehigh, Carbon County, for appointment as Justice of the Peace in and for the Borough of Lehigh, Carbon County, to serve until the first Monday of January 1960, vice Joseph A. McGlynn, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SELINSGROVE STATE SCHOOL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clinton F. Bashore, Sr., Port Royal, Juniata County, for reappointment as a member of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
WEST CHESTER STATE TEACHERS' COLLEGE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert R. Batt, Villanova, Delaware County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, from June 21, 1957, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILADELPHIA STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy Marcucci, 2153 Mary Lane, Broomall, Delaware County, for appointment as a member of the Board of Trustees of the Philadelphia State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, vice John D. Scheuer, Jr., Springfield.

DAVID L. LAWRENCE.

## MEMBER OF THE MILK CONTROL COMMISSION

February 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Simon K. Uhl, Somerset, Somerset County, for appointment as a member of the Milk Control Commission, from June 21, 1957, until May 1, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE FARM PRODUCTS SHOW  
COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the State Farm Products Show Commission, for the term of four years, and until their successors are qualified:

Donald Lanius, R. D. 3, York, York County.

James E. Work, McClellandtown Road, Uniontown, Fayette County.

DAVID L. LAWRENCE.

## MEMBER OF THE STATE FOREST COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Philip H. Glatfelter, Spring Grove, York County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BUCKS COUNTY BOARD OF  
ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel D. Atkinson (Democrat), 113 East Oakland Avenue, Doylestown, Bucks County, for appointment as a member of the Bucks County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Winifred M. Clymer, Southampton, whose term expired.

DAVID L. LAWRENCE.

## MEMBERS OF THE ADVISORY HEALTH BOARD

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Health Board:

Theodore F. Hatch, School of Public Health, University of Pittsburgh, Pittsburgh 12, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified. (Reappointment)

D. John Lauer, M. D., 1311 Terrace Drive, Pittsburgh 28, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified. (Reappointment)

Frederic G. Weir, Esq., 3233 Orleans Street, Pittsburgh 14, Allegheny County, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified. (Reappointment)

Russell B. Roth, M. D., 629 Myrtle Street, Erie, Erie County, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified. (Reappointment)

DAVID L. LAWRENCE.

MEMBER OF THE FAYETTE COUNTY BOARD OF  
ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Woodrow J. Cooley (Democrat), 12 Maple Street, Fairchance, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice James L. Ruane, Connellsville, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE JUNIATA COUNTY BOARD OF  
ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the



following for appointment as members of the Juniata County Board of Assistance:

Mrs. Catherine K. Kirk (Democrat), East Waterford, Juniata County, until December 31, 1959, and until her successor is duly appointed and qualified, vice David G. Hutchinson, McAlisterville, resigned.

Harold C. Hornbeck (Republican), Mifflin, Juniata County, until December 31, 1960, and until his successor is duly appointed and qualified, vice Rev. Elmer J. Davis, Mifflintown, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE OHIO RIVER VALLEY WATER  
SANITATION COMMISSION FOR THE COMMON-  
WEALTH OF PENNSYLVANIA

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Karl M. Mason, Camp Hill, Cumberland County, for appointment as a member of the Ohio River Valley Water Sanitation Commission for the Commonwealth of Pennsylvania, from January 7, 1958, until May 24, 1963, and until his successor shall be appointed and qualified.

DAVID L. LAWRENCE.

REPORT FROM COMMITTEE

Mr. KOPRIVER, JR., from the Committee on Highways reported as committed, Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," deleting a route in Hanover Township, Lehigh County.

BILL RE-REFERRED

Mr. WAGNER, from the Committee on Education, returned to the Senate, Senate Bill No. 1034, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law," requiring the use of 1959-1960 valuations in determining reimbursement fractions for the 1960-1961 school year.

Which was re-referred to the Committee on Rules.

BILLS INTRODUCED AND REFERRED

Messrs. DONOLOW, STIEFEL, LANE, EHRGOOD and SCOTT read in place and presented to the Chair Senate Bill No. 1040, entitled:

An Act making an appropriation to the Board of Trustees of the Jefferson Medical College of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 1041, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled, as amended, "Transfer Inheritance Tax Law," excepting from the tax transfers of certain property interests in and income therefrom to cemetery companies, corporations or associations operated exclusively for the benefit of its members and not operated for profit.

Which was committed to the Committee on Corporations.

Messrs. RIPP and SARRAF read in place and presented to the Chair Senate Bill No. 1042, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," providing for credit for retirement purposes and for payments into the county retirement fund by county employees for periods of employment by authorities created by counties of the second class.

Which was committed to the Committee on Local Government.

Messrs. MAHADY, DONOLOW and SILVERT read in place and presented to the Chair Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; . . ." further providing for the giving of copies of notes of testimony in criminal cases.

Which was committed to the Committee on Judiciary General.

Messrs. RUTH and WEINER read in place and presented to the Chair Senate Bill No. 1044, entitled:

An Act amending the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; . . ." by clarifying the criteria for a fair minimum wage, changing the powers and duties of wage boards and the department and modifying the penalties to which violators are subject.

Which was committed to the Committee on Labor and Industry.

Mr. KELLER read in his place and presented to the Chair Senate Bill No. 1045, entitled:

An Act repealing section 4, act of April 22, 1794 (3 Sm. L. 177), entitled "An act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation," relating to conviction on view and hearing for violating the prohibitions against wordly employment or business on Sunday.

Which was committed to the Committee on Law and Order.

Messrs. CAMIEL, McMENAMIN, McCREESH, MULLIN, SILVERT and LANE read in place and presented to the Chair Senate Bill No. 1046, entitled:

An Act prescribing penalties for bail jumping.

Which was committed to the Committee on Law and Order.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE, Mr. President and Members of the Senate, I am about to present to the Senate a revision of prior legislation which was sponsored by the Governor's High-

way Safety Committee, pertaining to inaugurating a point system in Pennsylvania.

The members of this committee feel that this is strict and intelligent legislation. We feel that it will go a long way toward bringing about highway safety in Pennsylvania. We had the pleasure of meeting this morning with His Excellency, the Governor, at which time he directed us to proceed in sponsoring this legislation.

At this time, Mr. President, I want to publicly thank the Members of the Senate, on the Republican side, for their splendid cooperation. I want to especially thank Senator Wade, Chairman of the Highways Committee. Senator Wade has spent many hours in working out this legislation.

Therefore, Mr. President, on behalf of the bipartisan committee, consisting of Senator Scott, Senator Mullin, Senator Ruth, Senator Wade, Senator Ehrgood and myself, I am presenting to the Chair this bill.

By the way, Senator Mallery said he would like to be included as one of the sponsors of this legislation. Before the Page delivers the bill to the desk, I will give it to Senator Mallery in order for him to sign his name.

### BILLS INTRODUCED AND REFERRED

Messrs. LANE, SCOTT, MULLIN, RUTH, WADE, EHRGOOD and MALLERY read in place and presented to the Chair Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No 32), entitled "The Vehicle Code," changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

Which was committed to the Committee on Highway.

Mr. WEINER (By request) read in his place and presented to the Chair Senate Bill No. 1048, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the names of certain hospitals and making certain hospitals and schools State institutions.

Which was committed to the Committee on State Government.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

#### MEMBER OF THE SNYDER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William K. Thomas (Democrat), Beaver Springs, Snyder County, for appointment as a member of the Snyder County Board of Assistance, until December 31, 1961, and

until his successor is duly appointed and qualified, vice Clarence M. Bailey, Beavertown, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

July 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Emily Howe, River Road, Beaver, Beaver County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1965, and until her successor shall have been appointed and qualified, vice Mrs. Henriette Kratzert, Monaca, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeanne A. Smith (Democrat), Oil City, Venango County, for appointment as a member of the Venango County Board of Assistance, from January 10, 1958, until December 31, 1959, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Donaldson, Jr., Pittsburgh, Allegheny County, for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adam H. Begel, 142 South Fifth Street, Lehigh, Carbon County, for appointment as Justice of the Peace in and for the Borough of Lehigh, Carbon County, to serve until the first Monday of January 1960, vice Joseph A. McGlynn, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SELINGSGROVE STATE SCHOOL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clinton F. Bashore, Sr., Port Royal, Juniata County, for reappointment as a member of the Board of Trustees of Selingsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.



MEMBER OF THE BOARD OF TRUSTEES OF WEST  
CHESTER STATE TEACHERS' COLLEGE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert R. Batt, Villanova, Delaware County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, from June 21, 1957, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
PHILADELPHIA STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorothy Marcucci, 2153 Mary Lane, Broomall, Delaware County, for appointment as a member of the Board of Trustees of the Philadelphia State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, vice John D. Scheuer, Jr., Springfield.

DAVID L. LAWRENCE.

## MEMBER OF THE MILK CONTROL COMMISSION

February 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Simon K. Uhl, Somerset, Somerset County, for appointment as a member of the Milk Control Commission, from June 21, 1957, until May 1, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE FARM PRODUCTS SHOW  
COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the State Farm Products Show Commission, for the term of four years, and until their successors are qualified:

Donald Lanius, R. D. 3, York, York County.

James E. Work, McClellandtown Road, Uniontown, Fayette County.

DAVID L. LAWRENCE.

## MEMBER OF THE STATE FOREST COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Philip H. Glatfelter, Spring Grove, York County, for appointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BUCKS COUNTY BOARD OF  
ASSISTANCE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel D. Atkinson (Democrat), 113 East Oakland Avenue, Doylestown, Bucks County, for appointment as a member of the Bucks County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Mrs. Winifred M. Clymer, Southampton, whose term expired.

DAVID L. LAWRENCE.

## MEMBERS OF THE ADVISORY HEALTH BOARD

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Health Board:

Theodore F. Hatch, School of Public Health, University of Pittsburgh, Pittsburgh 12, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified. (Reappointment)

D. John Lauer, M. D., 1311 Terrace Drive, Pittsburgh 28, Allegheny County, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified. (Reappointment)

Frederic G. Weir, Esq., 3233 Orleans Street, Pittsburgh 14, Allegheny County, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified. (Reappointment)

Russel B. Roth, M. D., 629 Myrtle Street, Erie, Erie County, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified. (Reappointment)

DAVID L. LAWRENCE.

MEMBER OF THE FAYETTE COUNTY BOARD  
OF ASSISTANCE OF

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Woodrow J. Cooley (Democrat), 12 Maple Street, Fairchance, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice James L. Ruane, Connellsville, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE JUNIATA COUNTY BOARD  
OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Juniata County Board of Assistance:

Mrs. Catherine K. Kirk (Democrat), East Waterford, Juniata County, until December 31, 1959, and until her successor is duly appointed and qualified, vice David G. Hutchinson, McAlisterville, resigned.

Harold C. Hornbeck (Republican), Mifflin, Juniata County, until December 31, 1960, and until his successor is duly appointed and qualified, vice Rev. Elmer J. Davis, Mifflintown, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE OHIO RIVER VALLEY WATER  
SANITATION COMMISSION FOR THE  
COMMONWEALTH OF PENNSYLVANIA

August 3, 1959.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate  
Karl M. Mason, Camp Hill, Cumberland County, for ap-  
pointment as a member of the Ohio River Valley Water  
Sanitation Commission for the Commonwealth of Penn-  
sylvania, from January 7, 1958, until May 24, 1963, and  
until his successor shall be appointed and qualified.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WAT-  
KINS,

That the Senate do advise and consent to said nomina-  
tions.

On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the pro-  
visions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye,"  
the question was determined in the affirmative.  
Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Execu-  
tive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.  
The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS  
OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent  
that Senate Bill No. 170, Printer's No. 1053, on con-  
currence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears  
none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL  
PASSAGE

Agreeably to order,  
The Senate proceeded to the third reading and con-  
sideration of House Bill No. 163, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053),  
entitled "Public Utility Law," excluding buses owned by  
or under contract with school districts private or parochial  
schools for the transportation of school children and  
chaperons from the definition of common carrier by motor  
vehicle and contract carrier by motor vehicle in certain  
cases.

And said bill having been read at length the third  
time, and agreed to,

And the amendments made thereto having been printed  
as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the pro-  
visions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	McMenamin,	Shafer,
Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Stiefel,
Chapman,	Koprivier, Jr.,	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
DiSilvestro,	Lane,	Ripp,	Wade,
Donolow,	Madigan,	Rooney,	Wagner,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraf,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Seyler,	Wolfe,
Harney,			

NAYS—1

Walker,

A majority of all the Senators having voted "aye," the  
question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House  
of Representatives with information that the Senate has  
passed the same with amendments in which concurrence  
of the House is requested.

Agreeably to order,  
The Senate proceeded to the third reading and con-  
sideration of Senate Bill No. 280, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),  
entitled "Public School Code of 1949," providing for the  
establishment and operation of classes for the instruction  
of school directors and providing compensation for mile-  
age with certain limitations.

And said bill having been read at length the third  
time, and agreed to,

And the amendments made thereto having been printed  
as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the pro-  
visions of the Constitution, and were as follows, viz:

YEAS—30

Camiel,	Kromer,	Sarraf,	Van Sant,
Confair,	Lane,	Scott,	Wade,
Donolow,	McCreesh,	Seyler,	Wagner,
Elliott,	McMenamin,	Shafer,	Walker,
Fleming,	Mullin,	Silvert,	Weiner,
Hays,	Ripp,	Stevenson,	Whalley,
Kalman,	Rooney,	Stiefel,	Wolfe,
Koprivier, Jr.,	Ruth,		

NAYS—7

Ehrgood,	Mallery,	Propert,	Watkins,
Harney,	Pechan,	Taylor,	



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 321, entitled:

An Act amending the act of May 2, 1945 (P. L. 375), entitled as amended "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law," fixing the minimum salary for the register of wills.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 323, Printer's No. 1239, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 492, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for estimated semi-annual payments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 497, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," making the school at Cheyney a State Teachers' College in the First State Teachers' College District.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

Mr WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 621, Printer's No. 1240;

Senate Bill No. 703, Printer's No 1218; and

Senate Bill No. 810, Printer's No. 1219.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS INTRODUCED AND REFERRED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this is another one of those acts about which we spoke yesterday, and I believe it has been discussed here before. This bill is dependent upon legislation in Congress. I think it is the Brown Bill. We are again passing legislation in anticipation of what may or may not be done by Congress. I do not think this is good legislative procedure. I think we will be in Session long enough to accomplish our purpose.

For that reason, I ask that this bill be put on the Postponed Calendar. If that is not possible or if it is objected to, I then ask my colleagues to vote "no."

Mr. BERGER. Mr. President, this bill does relate to Federal legislation, the bill in Congress known as the Brown Bill, which provides that national banks may do the same as is provided in this bill and as may be done by state banks.

The Brown Bill has passed the House of Representatives, and the best information that we have is that it will receive favorable consideration from the Senate Committee.

This being a Senate bill, I see no reason why it should not pass the Senate, pending the final passage of the Brown Bill.

Mr. WEINER. Mr. President, I want to reiterate that the Brown bill may receive favorable consideration but, the question is, will it pass and become law? That is my question. We are sort of anticipating that type of action, which I do not think we have a right to do on a subject as important as this one.

Mr. BERGER. Mr. President, once again I would anticipate no great harm if this bill were to pass and the Brown Bill would not pass.

Mr. WEINER. Mr. President, I do not want to continue this tennis match. However, I feel there are some implications in this legislation which are not altogether beneficial. I think most of the Members, as intelligent Legislators, would like to have an opportunity to look at the Federal Act when it is finally completed. I cannot tell whether bills, which pass the Senate, will be amended in the House, whether Senate amendments are acceptable to the House, and so on and so forth. I feel we have this problem in this type of legislation.

I therefore, ask my colleagues to vote "no" on this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. STIEFEL. Mr. President, how did Senator Silvert vote on this bill?

Mr. SILVERT. Mr. President, I am sure that Senator Stiefel was not asleep this time.

The PRESIDENT. Perhaps it is just a desire to gain greater popularity for you, Senator.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—32

Barr,	Flack,	Mallery,	Taylor,
Berger,	Fleming,	McMenamin,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Camiel,	Keller,	Propert,	Wagner,
Chapman,	Kessler,	Ruth,	Walker,
Confair,	Koprivier, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Shafer,	Whalley,
Elliott,	Madigan,	Stevenson,	Wolfe,

#### NAYS—13

Donolow,	Mahady,	Ripp,	Silvert,
Hays,	McCreesh,	Sarra,	Stiefel,
Kalman,	Mullin,	Seyler,	Weiner,
Lane,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 823, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans Court Act of 1951" divesting the Orphans' Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—49

Barr,	Hays,	McMenamin,	Shafer,
Berger,	Kalman,	Miller,	Silvert,
Blass,	Keller,	Mullin,	Stevenson,
Camiel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.,	Pechan,	Van Sant,
Confair,	Kromer,	Propert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarra,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Seyler,	Wolfe,
Harney,			

#### NAYS—1

Stiefel,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any civil or criminal in any court of record in this Commonwealth . . . further providing for the taking of exceptions to rulings of the trial judge.



And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, yesterday I called the attention of the Senate to a misspelled word in line 15, page 2, of this bill, where the word was spelled "n-o-t," when it should have been spelled "n-o-t-e."

Senator Berger then suggested that he would not object to an amendment, on third reading. However, Senator Scott, who is an able parliamentarian, informed me that since the word was spelled properly in the original bill, no amendment is necessary. I am going to rely on Senator Scott's advice and in order to save the Commonwealth some money, I will not offer this amendment. I ask that the bill go through as is.

The PRESIDENT. I think there is no doubt but what that is good advice, Senator Silvert.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 879, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \* \* \*" increasing payments to certain beneficiaries under the fund.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill and the next two bills, Senate Bills Nos. 880 and 881, are all concerned with a similar subject; namely, the police and firemen's fund in the city of Pittsburgh. It somehow escapes me how this Body can assume to act on behalf of a municipality without ascertaining what it might cost the municipality to do this job.

The bills, as drawn here, take little or no consideration of the previous Acts which were passed in the city. I believe the proponents of the bills, if they have gone into the proper research, will find that only two years ago the parties that are involved in this legislation were given an estimate. There is no one in this room who is against police or firemen receiving a greater amount in pension funds or receiving a fair wage increase. However, that must be commensurate with what the city is able to pay. This legislation, if carried out, would cost the city in 1960 approximately \$1,400,000.

I would like to ask the sponsors of this bill, if either of them will be kind enough to tell this Body before we vote on this legislation, where this money will come from or how the necessary funds will be provided to carry out the provisions, and upon getting that information, I will be very happy to vote on it myself. I am in favor of this legislation. I do not think there is anyone in this room who is against it. However, we cannot merely legislate without providing the wherewithal to take care of the particular project or problem in mind.

The persons involved here, I think, should look over the entire situation, not only for the city of Pittsburgh but for all of the communities that have this problem.

I would also like to point out that it was not too long ago that the cities, instead of having the personnel that are involved in this legislation pay a certain proportion of their salaries which was based on actual figures to cover this result, were told that the total amount they would have to pay in any given month would not exceed \$25 a month. I am sure that all of us realize that when the total amount was cut down for a proportionate share to a ceiling, someone was going to have to make up this difference and the city has been doing just that.

I think, unless this is a politically inspired bill,—and I certainly hope that no one is playing politics with the police, firemen or any other people—that they would come to the conclusion that the purpose and purport of



this bill is to not only look after the people and to pass this legislation, but to implement it, which you are not doing by not providing the necessary funds to go with this bill.

If the sponsors of the bill will introduce another bill to provide the money and the necessary funds to do this job, I do not think there is anyone here who would not vote for this bill. Lacking that, I would ask my colleagues to vote "no" on this legislation, not because we do not want to help the police and firemen, not because we do not feel they do not need help, but because there is no means to provide what is trying to be done here.

I will admit this is a good year for this type of legislation. However, the timing is a little bit bad as far as the Legislature itself is concerned, at a time, as the Chairmen of the Appropriations and Finance Committees of this Body will tell you, when we are looking for money from many, many sources to try to make up the deficit we already have and to meet our programs as already set out or mandated by Legislatures which preceded us.

Mr. BERGER. Mr. President, this bill relates only to an increase of the pensions of those police and firemen who retired prior to January 1, 1956. It does not change the current retirement schedule whatever for these categories.

We have consistently provided for increases in the pensions of people who find themselves retired at a time when the payments were comparatively low and the cost of living has increased a great deal. I do not know where the Senator got his figures, but the figures that I received indicate the increases provided in this bill amount to about ten per cent. They would cost in the police fund about \$59,464 a year, and in the firemen's fund, \$63,309.60. That is a far cry from \$1,400,000, Mr. President. If I am in error, I would ask that the gentleman correct me on that because the figures I have would indicate no such great expenditure on the part of the city of Pittsburgh.

Mr. President, be that as it may. The increases here are modest. They are in line with what should be done for people in this category who have reached the superannuation age and have retired on pension, and find themselves in a difficult position because of the lack of funds to maintain the ordinary standards of living.

Mr. EHRGOOD. Mr. President, the Minority Leader, the gentleman from Philadelphia, talked about the problem of where the money is coming from. I recall that we just passed Senate Bill No. 321, pertaining to the Register of Wills' salary in Philadelphia. I am sure that Senator Weiner voted for that bill. I wonder who is going to pay that money and whether it is not better to pay pensions for these firemen and policemen rather than raising the salary of some elected official from the city of Philadelphia.

Mr. WEINER. Mr. President, if I remember correctly, each week, the gentleman from Lebanon gets into one non sequitur after another. How this problem in Philadelphia relates to this pension bill is beyond me. However, for his edification, I would like to point out that the Register of Wills is not only a fee office; it is partially a salary office, which we voted for these other counties as well.

I also would like to take this opportunity—I was going to save it until a later time—to point out that this gentleman, who just spoke, wrote an article in one of his local

newspapers which was entitled: "The City Areas Take Most of the Tax Money." He went on to point out a number of these non sequiturs which he says here and, of course, nobody is there to talk about these articles. On one hand, he said the city is taking most of the tax money; on the other hand, he is voting for all kinds of problems of the cities where they have to take more tax money in order to pay for them. If that is consistency, I would like to know more about it.

One other thing, which I would like to point out to the Majority Floor Leader, is a letter that I have here from the city of Pittsburgh. I would assume that they have gone into this problem rather extensively, but I will not burden you by reading the entire facts and figures. However, their statement is that in their 1959 budget, they appropriated \$800,000 for the Municipal Pension Fund; \$325,000 for the Firemen's Fund; and nothing for the Policemen's Fund. If this ten per cent increase goes through for the retired employees—if you will bear with me and check my arithmetic—they claim that the Municipal Fund would cost them approximately \$1,000,000. This may be about \$960,000 or somewhere about that figure, but it amounts to approximately \$1,000,000. The Firemen's Fund would cost them \$300,000 and the Policemen's Fund would cost them \$100,000. The way the Democrats add, this comes out to \$1,400,000. If this becomes effective as of January 1, 1960, they feel it would cost them \$1,520,000. They would have to come up with \$120,208 more, depending upon the effective date of this budget. They feel that in 1961, you have to add the sum of \$111,556 to this, and in 1962, \$154,234.

Might I point out to the gentleman from Lebanon—who I know can do arithmetic a little bit better than he does the syntax of sentences and some of his logical thinking—that this think goes up geometrically and not arithmetically? What you are getting is an older population. According to geriatrics, as I understand it, if we continue the way we are going and keeping our older people alive, you are going to have more of these people drawing on this fund for a longer period of time.

Some of the gentlemen on the other side, who are more familiar with insurance than I am, will tell you that any fund which does not depend upon somebody paying something into it and has money drawn out all the time is doing to require somebody making some contribution. Obviously, under the situation as it exists in Pittsburgh today, the maximum that anyone will pay in any one month is \$25. If you subsequently increase the amount that you are going to allow people to withdraw and not increase the amount they put in, where is this extra money going to come from? Who is going to pay this amount of money? I have yet to hear an answer from the gentleman from Lebanon or from the sponsors of the bill.

I am sorry that I did not have the exact date at the time I spoke about this earlier, but I have since learned that it was May 15, 1957 when all the persons involved in this bill were given a twenty per cent increase. With that in mind, we are now back here again, two years later, asking for another ten per cent increase so that in three years, it amounts to a thirty per cent increase. I am sure that none of the gentlemen sitting on the other side would vote for that for themselves or any of the State employees at this moment. Perhaps, four or eight years from now, they may think differently on this prob-



lem. However, at this moment, I do not think any of them could be enticed to vote in that direction or area.

I would also like to know from the sponsors of the bill—one of whom I can speak for very freely—whether they have discussed this matter with the people of Pittsburgh. I would like to know whether they have taken this matter up with some of the authorities in order to have both sides of the issue presented to us so that we can act on it in an intelligent manner. I know that one of the gentlemen is from the far eastern section of the Commonwealth and, probably, did not have an opportunity to do so. I am just wondering whether the sponsor of the bill would give us the benefit of any advice he may have.

Mr. BERGER. Mr. President, I will be glad to give a little help on the figures. Unless I am grossly misinformed, the following figures relate to the Fire Pension Fund. The estimated pension for 1959, for 296 members retired prior to January 1, 1956, is \$594,648. A ten per cent increase is \$59,464.80. The same is applicable to the policemen; for 321 members, who retired prior to January 1, 1956,—and they are the only ones who are being affected by this bill—it costs, under present law, \$633,096. A ten per cent increase amounts to \$63,309.60. On the retired municipal employees, 348 members received an increase of \$10 per month. The cost would be \$3,480, monthly, or \$41,760, annually. I cannot find \$1,400,000 there.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Mr. Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman give us the total amount that this will have cost, when those figures which he read are added together?

Mr. BERGER. Mr. President, I will be very happy to do the gentleman's work for him, but I read the figures and I think he can add as well as I can.

Mr. WEINER. Mr. President, would the gentleman be so kind as to give the Members of the Senate just the three figures, please?

Mr. BERGER. The three figures are as follows: Firemen's Pension Fund, \$59,464.80; in the Municipal Employees' Retirement Fund, the figure is \$41,760; and in the Police Pension Fund, the figure is \$63,309.60.

Mr. WEINER. Mr. President, do not the three figures just stated, in fact, total more than \$164,000?

Mr. BERGER. Will you please repeat the question?

Mr. WEINER. Mr. President, do not these figures, just given to us by the gentleman, total, in the aggregate, \$164,000?

Mr. BERGER. I do not know, Mr. President. I did not add them, but I assume that the gentleman's addition is correct. I know he is an excellent mathematician.

Mr. WEINER. Mr. President, I would like to inform the gentleman that flattery will get him everywhere. Mr. President, I want to thank the gentleman for his courtesy.

Mr. President, I think the question which is before us is,—assuming that my figures are incorrect and the gentleman's figures are absolutely correct—where do we get the \$164,000 which the city of Pittsburgh is going to need, in addition to all the other problems they now have and in addition to all the other moneys they are going to

need. Is there an appropriation bill that will follow these bills?

The PRESIDENT. Would the gentleman from Potter, Mr. Berger, care to answer that question?

Mr. BERGER. Was that an interrogation addressed to me, Mr. President?

Mr. WEINER. I would like to have an answer to that question. It does not necessarily have to be answered by the Majority Floor Leader. I would like to hear from anyone who feels that he has introduced such a bill or can tell us about a similar bill.

Mr. BERGER. Mr. President, I would assume that the city of Pittsburgh, which appropriates money to this fund on the basis of making up anything additional over \$25 per month by the employees to the present fund, would make an appropriation of that amount into the Employees' Retirement Funds, the various ones being the Police, Fire and Municipal.

I also would like to point out, Mr. President, that under the present law, which is not changed relating to those who are employed in these categories, that is the maximum amount which is taken from their pay. However, a great many of these people, who retired before 1956, pair \$40, \$42 and \$43 monthly out of their pay and they are getting less pension than the ones who are retired currently.

Mr. WEINER. Mr. President, I want to thank the gentleman. However, I believe, in my discussion of this bill, I pointed out to him that this amount was the amount which was set up by actuaries who had handled this fund. The reason they cut it from \$42, or whatever the proportionate amount of their pay was, back to the \$25 ceiling, is because the city was anxious to do something to help these people and were going it on that basis.

There are a few insurance men sitting on the other side who I think would be very glad to give their counsel. Would they explain to us, in the Senate, where the city is going to get the initial sum of \$164,000 and, further, how can they tell us how many people are going to retire next year, the year after and the year after that, and that this amount of \$164,000 will not remain static, but will continue on up, geometrically, as more and more people retire who have paid less and less into the fund?

Mr. BERGER. Mr. President, we are dealing with a present problem. What may happen in the future, as far as increases to the people who are retiring under the current bill are concerned, neither he nor I can answer, nor can anybody in this room, nor can the future Mayor of Pittsburgh.

Mr. WEINER. Mr. President, a few moments ago,—and I hate to bring up ancient history—we tried to peer into the future and find out what the United States Congress was going to do. I think it was resolved in favor that they were going to follow our precepts in this Legislature. We passed bills, based on what the Congress of the United States is going to do. If we can tell what such a static and stable Body is going to do, from day to day, and pass legislation based on what its precepts are, I am sure that some of the gentlemen on the other side, who know something about the insurance business, can tell us with a little more certainty how many people are going to retire and how much money it is going to cost. There are tables for this type of work. If we did not have such tables, we could not continue either in the



Commonwealth or in the cities to conduct these retirement funds.

Mr. BERGER. Mr. President, this bill in no way would affect the problem just posed by the Minority Leader. The people who are retiring under the current bill certainly can be accurately estimated and probably the cost, under the present law, can be estimated. However, this bill has nothing to do with them. This bill is for people who retired prior to January 1, 1956. Their numbers are known and the exact cost can be computed as it has been in the figures I have stated.

Mr. WEINER. Mr. President, I do not want to continue to delay the movement on these bills unduly. However, I do think that we are certainly taking a very narrow view of a problem that a municipality is going to have with this type of legislation.

I am just interested to know whether it is all right if we enact this type of legislation for some of the other communities, and for some of the other gentlemen sitting on the other side, so that their people can also have the benefit of this type of progressive legislation. I feel that if this type of thing is good for the city of Pittsburgh, it certainly should be good for the rest of the communities. I think there are some people on the other side who might be interested in this type of legislation and who might be interested in putting in these bills. Maybe we should hold these bills over so that all these bills can ride together, and receive the same type of treatment in the House that these will get.

I am just wondering whether there is anybody here who would like to state his position in regard to this type of legislation, other than voting "aye."

The PRESIDENT. Are you asking that these bills be held over?

Mr. WEINER. No, Mr. President, I am not. I am just asking for that type of advice and counsel from the other side.

Mr. BERGER. Mr. President, there is an old axiom among scatter gun shooters that you do not take a shot at the flock. You must aim at the bird you are shooting at.

Mr. WEINER. Mr. President, at the rate we are shooting the birds, there is not much of a flock left.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Koprivier.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Koprivier, permit himself to be interrogated?

Mr. KOPRIVER, JR. I will, Mr. President.

Mr. BARR. Do you live in a second class city, Mr. Koprivier?

Mr. KOPRIVER, JR. Thank God, no.

Mr. BARR. Do you have a bill there to take care of the retired firemen, policemen and municipal employees, such as this bill, in the city in which you live?

Mr. KOPRIVER, JR. Yes, we have one and I have been trying to get someone to co-sponsor it with me for the last three weeks.

Mr. BARR. Where is it?

Mr. KOPRIVER, JR. I have it. I am just waiting for an O. K. from someone else in the District or in the county. That is all.

Mr. BARR. What?

Mr. KOPRIVER, JR. In the county; I am waiting for an O. K. from another member of your party in the county. That is all. It is practically the same bill.

Mr. BARR. I would like to see it. If you will bring it to me—

Mr. KOPRIVER, JR. I will show it to you, Senator Barr. You can be sure of that.

Mr. BARR. I would like to see it now before I vote.

Mr. KOPRIVER, JR. I do not have to do it now. It is getting late; not now.

Mr. BARR. Mr. President, I think the picnic will wait. I would like to see this bill. I do not believe in people from third class cities trying to legislate for second class cities.

Mr. KOPRIVER, JR. Senator Barr, I do not want to make you late for your appointment and I do not want to take the time of the Senate to prolong the argument on these three bills. I can only say to you that just a week ago, you said we should take care of the bill on the Calendar, relating to the policeman who was dying in a Pittsburgh hospital and which would provide for the care of widows.

In taking care of one group of policemen who are trying to get pensions and in taking care of widows, why not take care of the older men? We are talking about old people, and taking care of the old people in Pennsylvania. These are old policemen and firemen who did a fine job over the years for Pittsburgh and now you are not trying to help them. You are trying to find excuses.

Those figures that Senator Weiner gave were fine figures, but they are Democratic figures and not Republican figures. That is the difference between the bills. That is all.

Mr. BARR. Mr. President, I may say that I cannot understand the gentleman at all, not one word he said. I wish he would speak a little more distinctly.

Mr. President, I was about to ask the gentleman if he would mind if these bills went over temporarily until I get a chance to read the bill he has over there, and then we can call these bills up for a vote later.

Mr. KOPRIVER, JR. Senator Barr, I am sure you trust me that I will show you the bill. There is no sense in wasting all this time. We can always pass a bill. I think it is useless for you to stand here and try to commit me to hold them over. We have held them over now for three weeks.

Mr. BARR. I said temporarily, for today.

Mr. KOPRIVER, JR. Your temporarily is like farmer's mile.

Mr. BARR. Mr. President, I do not think the gentleman has been reading the editorials that have been written by him in the Pittsburgh papers.

The PRESIDENT. One non sequitur follows another.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman from Allegheny County, Senator Koprivier, that I did not use any figures, Democratic or Republican. I used the figures that I was given by the Majority Floor Leader.

My question to him, if he sees fit to answer it,—or he can take the Sixth Amendment if he likes, rather than the Fifth—is where is this money going to come from or how is he going to assume or provide for the city of Pittsburgh to take up this additional \$164,000. If there is no desire on his part to do that, I think the best we can do is label this as a political measure to embarrass someone. I think if that is his purpose, I would say he has achieved it and I think he is entitled to a "well done."



I ask my colleagues to vote "no."

Mr. BERGER. Mr. President, the figures that were given to the Minority Floor Leader were received from the heads of the various funds under discussion and, I believe, are accurate.

Furthermore, Mr. President, I think I will answer the question as to where the city of Pittsburgh is going to get the money by saying that they will probably get it from the same place they got it when the then mayor of Pittsburgh did not object to offering a twenty per cent increase in the pensions. I am given to understand that this was also approved, and the members of the pension funds were so notified that they would get this increase, and then that promise was repudiated.

Mr. WEINER. Mr. President, rather than prolong this any further, I never impuned the figures that the Majority Floor Leader gave me. I never said they were Democratic or Republican or any other kind of figures. I was using these figures. He said the figures I gave him were absolutely incorrect, which I do not believe.

Using those figures, I still have not heard from the sponsors of the bill where this money is going to come from. Suppose I were to point out, and suggest to the gentleman on the other side, that when this original twenty per cent increase was given to these people in this fund, they stated, as part of the program of getting these figures, that they would not be back again; that they were happy and satisfied with these figures, and that they thought it met some of their problems.

Not being able to do anything further in their own back yard, they have come to Harrisburg and asked us to legislate for them, which should primarily be a problem for Pittsburgh and not one for myself and others not from that area to be discussing. I think that is where it properly belongs. I think that we all believe that home rule is a desirable thing. This problem belongs in Pittsburgh and not here in the Legislature.

We are wrangling over people we do not know. We do not know their problems or anything about them. We are only trying to increase the amount of money they are getting without providing any means for giving it to them.

Mr. BERGER. Mr. President, I think we are dealing with something about which quite a lot is known. It is this: These people did go to the city of Pittsburgh and they received an assurance that they would be supported in this legislation and would receive an increase in their pension fund. They wrote and informed their members that they had that assurance and, later on, the assurance was withdrawn.

Mr. KOPRIVER, JR. Mr. President, I would like to inform the Minority Leader that at the present time, there is a little assessment program going on in Pittsburgh. We will not know until after the election what it is going to amount to in dollars and cents.

The wage tax bill will probably be raised one-half per cent after the election. It has been done before. This is just to give you an idea how the money will be raised to take care of the funds necessary for the increase in the pension. That is probably where it will come from. I am sure Senator Barr is aware of this.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Koprivier.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Koprivier, permit himself to be interrogated?

Mr. KOPRIVER, JR. I will, Mr. President.

Mr. WEINER. Senator Koprivier, if I understand you correctly, are you in favor of the people of Pittsburgh paying a higher rate of taxes than they now pay?

Mr. KOPRIVER, JR. I never said that. Do not put words in my mouth, Senator Weiner.

Mr. WEINER. I am asking you a question. I am not putting any words in your mouth.

Mr. KOPRIVER, JR. No.

Mr. WEINER. No, what?

Mr. KOPRIVER, JR. I am not in favor of them paying more taxes, no.

Mr. WEINER. All right. Then did I misunderstand that you said that you asked for a—I will let you confer with your counsel, if you like.

Mr. KOPRIVER, JR. Go ahead, Senator Weiner.

Mr. WEINER. I would like to know if you stated that they were going to increase the taxes in Pittsburgh in the coming year?

Mr. KOPRIVER, JR. I did not say that. I said they are reassessing Pittsburgh property now. I said in all probability, from the stories I hear, there will be quite an increase in the reassessing. You know what happens to the taxes then.

Mr. WEINER. Senator, if I misunderstood you, please correct me, but did you not say that right after election they are going to raise the taxes? Is that what you said?

Mr. KOPRIVER, JR. Probably would, I said.

Mr. WEINER. Oh, then you are either predicting or not predicting what is going to happen in the future.

Mr. KOPRIVER, JR. I am hoping they reduce them.

Mr. WEINER. All right. Senator, would you allow yourself to be further interrogated?

Mr. KOPRIVER, JR. Yes.

Mr. WEINER. Senator, would you say that measures such as these three bills will allow the city to reduce its taxes, or will they cause them to raise their taxes?

Mr. KOPRIVER, JR. If they will be a little economic in Pittsburgh and be a little careful and do not pad the payroll, they could very well take care of the problem of raising the pensions of the older people.

Mr. WEINER. Are you saying, Senator, if I understand you, that you are accusing the city of Pittsburgh of padding the payroll? Is that what you are saying?

Mr. KOPRIVER, JR. Again, you are putting words in my mouth. If you take it that way, it is O. K. with me.

Mr. WEINER. Senator, I did not say that. You stated that, and I am merely trying to find out what you are stating. Did you say that the Pittsburgh payroll is padded—is that what you are stating to us—and, as a result, the taxes are going to have to be raised?

Mr. KOPRIVER, JR. I understand that quite a few hacks are on there. Senator Barr will bear me out.

Mr. WEINER. Senator Barr is not being interrogated. You are being interrogated.

Mr. KOPRIVER, JR. I am just saying Senator Barr would bear me out. Maybe he cannot hear very well. That is what is the matter.

Mr. WEINER. Mr. President, I want to thank the gentleman.

I think the best argument against these bills was made by the gentleman, himself, who is one the sponsors. The fact that he, himself, foresees in the future that this is perhaps one of the areas which might cause taxation to be increased in the city of Pittsburgh is somewhat in-

consistent or a paradox of what he is saying in the sense that he feels that the city of Pittsburgh will not have higher taxes. Yet, he is inflicting upon them a measure which will cost them, according to the figures as given me, \$164,000 more and with no means of providing the money or no bills appropriating this money to the city. I am sure that he, as a responsible official, realizes that this money has to come from some place. The only place it can possibly come from, if not from the State, is from taxation.

Mr. BARR. Mr. President, the gentleman from Duquesne said rather a rash thing. He said I would bear him out. I will bear him out on nothing. I will explain to your people of Duquesne what you are taking from them. They will have to pay \$44 per person, per year, for their Sanitary Authority which they will have to erect. However, if you had joined the Allegheny Authority, it would have cost them only \$18.

### POINT OF ORDER

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Fleming, will state it.

Mr. FLEMING. Mr. President, I would suggest that my colleague from Allegheny, Senator Barr, is not speaking on the bill in talking about the sewer assessments in Allegheny County, and suggest that the Chair instruct him to confine his remarks to the bill before the Senate.

Mr. BARR. Mr. President, it seemed to me that the gentleman was getting down in the sewer the way he was talking, so it brought the Sewer Authority to my mind.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—29

Berger,	Harney,	Mullin,	Van Sant,
Blass,	Keller,	Pechan,	Wade,
Chapman,	Kessler,	Probert,	Wagner,
Confair,	Koprivier, Jr.,	Scott,	Walker,
Ehrgood,	Kromer,	Shafer,	Watkins,
Elliot,	Madigan,	Stevenson,	Whalley,
Flack,	Mallery,	Taylor,	Wolfe,
Fleming,			

#### NAYS—19

Barr,	Lane,	Murray,	Seyler,
Camel,	Mahady,	Ripp,	Silvert,
Donolow,	McCreesh,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,	Sarra,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. WEINER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. BARR. Mr. President, while we are at ease, may I ask how Senator Blass was recorded as voting on the last bill?

Mr. PRESIDENT. Senator Blass was recorded as having voted "aye."

Mr. BARR. I do not see the gentleman around. I think

you should strike his name off and I ask the same thing about Senator Chapman.

The PRESIDENT. Senator Chapman was also recorded as voting "aye."

### REQUEST FOR VERIFICATION OF THE ROLL

Mr. BARR. Mr. President, I ask for a verification of the roll call.

Mr. BERGER. Mr. President, has the roll call been announced?

The PRESIDENT. The roll call has already been announced. This would indicate that the verification request comes too late. It has to be made before the result of the vote has been announced. It is possible, however, that you may wish to have the bill reconsidered. Senator Barr, do you wish to have the vote reconsidered?

Mr. BARR. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 880, entitled:

An Act amending the act of May 28, 1915 (P. L. 956) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employees.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Harney,	Mullin,	Van Sant,
Chapman,	Keller,	Pechan,	Wade,
Confair,	Kessler,	Probert,	Wagner,
Ehrgood,	Koprivier, Jr.,	Scott,	Walker,
Elliot,	Kromer,	Shafer,	Watkins,
Flack,	Madigan,	Stevenson,	Whalley,
Fleming,	Mallery,	Taylor,	Wolfe,

#### NAYS—19

Barr,	Lane,	Murray,	Seyler,
Camel,	Mahady,	Ripp,	Silvert,
Donolow,	McCreesh,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,	Sarra,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 881, entitled:

An Act amending the act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" increasing payments to certain beneficiaries under the fund.



And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Berger,	Harney,	Mullin,	Van Sant,
Chapman,	Keller,	Pechan,	Wade,
Confair,	Kessler,	Propert,	Wagner,
Ehrgood,	Koprivier, Jr.,	Scott,	Walker,
Elliott,	Kromer,	Shafer,	Watkins,
Flack,	Madigan,	Stevenson,	Whalley,
Fleming,	Mallery,	Taylor,	Wolfe,

## NAYS—19

Barr,	Lane,	Murray,	Seyler,
Camiel,	Mahady,	Ripp,	Silvert,
Donolow,	McCreesh,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,	Sarra,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

And yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 915, Printer's No. 1078, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 939, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing for the annexation of cities and boroughs or parts thereof and the adjustment of indebtedness connected therewith.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. ROONEY. Mr. President, having voted under a misapprehension, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—34

Berger,	Harney,	McMenamin,	Taylor,
Camiel,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler,	Propert,	Wade,
Confair,	Koprivier, Jr.,	Ripp,	Wagner,
Donolow,	Kromer,	Sarra,	Walker,
Ehrgood,	Lane,	Scott,	Watkins,
Elliott,	Madigan,	Shafer,	Whalley,
Flack,	Mahady,	Stevenson,	Wolfe,
Fleming,	Mallery,		

## NAYS—10

Barr,	Miller,	Ruth,	Silvert,
Hays,	Mullin,	Seyler,	Weiner,
Kalman,	Rooney,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 981, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing provisions relating to attending high schools in non-resident districts and to the payment of tuition.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" requiring certain school districts to provide chaperons when transporting school children in certain cases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1028, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1940" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1029, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1080, entitled:

An Act amending the act of May 23, 1945 (P. L. 913) entitled "Professional Engineers Registration Law" authorizing registration of certain qualified persons without examination and providing for biennial registration.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,



Ehrgood, Elliott, Flack, Fleming, Harney,	Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Sarraf, Scott, Seyler, Shafer,	Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1099, entitled:

An Act amending the act of May 22, 1951 (P. L. 317) entitled "The Professional Nursing Law" providing for biennial registration.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1224, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 23 acres more or less of land situate in Collier Township, Allegheny County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass,	Hays, Kalman, Keller,	Miller, Mullin, Murray,	Silvert, Stevenson, Stiefel,
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Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1305, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law," empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President, House Bill No. 1305, Printer's No. 1245, I think relates to second class townships, particularly as it applies to the so-called "Tax Everything Act." Second class school districts, in second class townships, are having difficult times providing for the needs of the boys and girls in their districts.

As I understand House Bill No. 1305, I am in entire sympathy with the motives of this bill to provide the township supervisors with additional funds if they need it. However, it seems to me that this is so-called "robbing Peter to pay Paul." This, if I understand it correctly, would mean that the school districts would have to surrender some funds to the township government. It seems to me that whenever we have a choice between human beings and more physical things, I must vote for the support of the human beings, the school children in the second class townships who would be involved in this particular legislation.

That is the reason, Mr. President, for my intention to vote "no" on this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. DONOLOW. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—31

Berger, Chapman, Confair, Ehrgood, Elliott, Flack, Fleming, Harney,	Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery,	McMenamin, Pechan, Propert, Rooney, Scott, Shafer, Silvert, Stevenson,	Taylor, Van Sant, Wade, Wagner, Watkins, Whalley, Wolfe,
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## NAYS—14

Barr, Camiel, Donolow, Hays,	Kalman, McCreesh, Miller, Mullin,	Ripp, Ruth, Sarraf, Weiner,	Seyler, Walker, Weiner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1374, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law," providing certain exemptions from taxation under the provisions of the act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—37

Barr, Berger, Chapman, Confair, Ehrgood, Elliott, Flack, Fleming, Harney, Kalman,	Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mallery, McCreesh, Miller, Mullin,	Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Shafer, Silvert, Stevenson,	Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Whalley, Wolfe,
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## NAYS—6

Hays, Mahady,	McMenamin, Mullin,	Seyler, Weiner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1375, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921," imposing restrictions upon payment or division of commissions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner,
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Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Ruth, Sarraf, Scott, Seyler, Shafer,	Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1389, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," changing provisions relating to non-forfeiture benefits and cash surrender values required in life insurance policies and providing for an age set-back in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1390, entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled as amended "The Insurance Department Act of 1921," further regulating the computation of the reserve liability of life insurance companies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman,	Hays, Kalman, Keller, Kessler, Koprivier, Jr.,	Miller, Mullin, Murray, Pechan, Propert,	Silvert, Stevenson, Stiefel, Taylor, Van Sant,
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Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1391, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." changing the premium basis for group policies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1721, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" extending the use of manufacturer's jobber's and dealer's registration plates.

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarraf,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1818, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "Statutory Construction Act" changing the computation of time in certain respects.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1819, entitled:

An Act amending the act of June 20, 1883 (P. L. 136) entitled "An act to regulate the computation of time under statutes rules orders and decrees of court and under charters and by-laws of corporations public and private" changing the computation of time in certain respects.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1881, entitled:

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "Consumer Discount Company Act" further regulating the granting of licenses and providing for appeals.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### RECESS

Mr. BERGER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting

of the Committee on Rules, to be held in the office of the President pro tempore.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

#### BILL INTRODUCED AND REFERRED

Mr. PECHAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN read in place and presented to the Chair Senate Bill No. 1049, entitled:

An Act amending the act of May 23, 1945 (P. L. 913), entitled "Professional Engineers Registration Law," further defining the practice of engineering and including city and regional planning and planning for urban redevelopment within the meaning of the practice of civil engineering.

Which was committed to the Committee on Education.

#### REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Rules, reported as committed, Senate Bill No. 1034, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," requiring the use of 1959-1960 valuations in determining reimbursements fractions for the 1960-1961 school year.

#### SECOND READING CALENDAR

##### BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 141, Printer's No. 489; and

Senate Bill No. 543, Printer's No. 579.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employees from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.



The first section was read and agreed to.  
 The second section was read.  
 On the question,  
 Will the Senate agree to the section?  
 Mr. VAN SANT offered the following amendment:

Amend Sec. 2, page 3, line 12, by striking out "of any kind" and inserting:  
 "on said property."

It was agreed to.  
 The section was agreed to as amended.  
 The third, fourth, fifth, sixth, seventh and eighth sections and title were read and agreed to.  
 And said bill having been read at length the second time, as amended,  
 On the question,  
 Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. VAN SANT. Mr. President, I ask unanimous consent that Senate Bill No. 573, Printer's No. 1200, on second reading, go over in its order, as amended.  
 The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 623, Printer's No. 1241, on second reading, go over in its order.  
 The PRESIDENT. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 650, on second reading, entitled:

An Act amending the act of May 19, 1897 (P. L. 67), entitled "An act regulating the practice bail costs and fees on appeals to the Supreme Court and Superior Court" changing and making uniform the time within which appeals may be allowed from courts of inferior jurisdiction and from administrative agencies be recommitted to the Committee on Judiciary General.

Mr. WADE. Mr. President, I second the motion.  
 The motion was agreed to.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 942, on second reading, go over in its order.

Mr. PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 891, Printer's No. 1046, an second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 901, Printer's No. 1057; and  
 Senate Bill No. 902, Printer's No. 1201.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printer's No. 1140, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "sub-divider" and "developer."

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY. Mr. President, I would like to interrogate the gentleman who introduced this piece of legislation and ask of him the purpose of this bill.

The PRESIDENT. Which Senator are you requesting to interrogate?

Mr. MAHADY. Senator Flack.

Mr. BERGER. Mr. President, Senator Flack appears to be busy somewhere in a committee room. If I will do to act as a substitute, I will be glad to answer any interrogations that I can.

Mr. MAHADY. Mr. President, I would like to know the purpose of this bill. No one has been able to give me a logical explanation for it today.

Mr. BERGER. Mr. President, I think I can answer the gentleman from the text of the bill. I do not have the bill before me, but I recall that it reduces the number of divisions from three to two. It amends the County Planning Commission Bill in counties of the third to eighth class, inclusive, by defining the word "sub-divider" so that it shall be construed to be one who undertakes to plan or lay out a tract of land for residential, industrial or commercial use, such as a developer would.

The reason for it is that it would not extend the provisions of the Act to someone who owns a large tract and who casually or intermittently may sell a lot or two.

That, Mr. President, is a full explanation of the bill, as I understand it.

Mr. MAHADY. I have read the bill. What I would like to know is what practical use this bill would be. What is the need for it?

Mr. BERGER. I understand, Mr. President, that a sub-divider has to file a plan and the developer does not. That is as far as I can go. They would like to have the plans filed so that they will know where the sewer lines and so forth are going to run in both types of developments, subdivisions and developments.

Mr. MAHADY. Is not that the privilege of the Planning Commission to require such plans when requested under the present Act?

Mr. BERGER. Mr. President, my understanding is that a developer has to do it, but a sub-divider does not necessarily have to do it. This would require him to file plans.

Mr. MAHADY. Or, the other way around.

Mr. BERGER. Or vice versa.

And the question recurring,

Will the Senate agree to the section?  
It was agreed to.  
The title was read and agreed to.  
And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

Agreeably to order,  
The Senate proceeded to the second reading and consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing permanent certification for certain persons teaching in private institutions.

And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1035, Printer's No. 291; and  
House Bill No. 1507, Printer's No. 588.

The PRESIDENT. Is there objection? The Chair hears none.

### HOUSE BILL NO. 621 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 3 of today's Third Reading Calendar, House Bill No. 621, Printer's No. 1240, which went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechar,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

### BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1002, entitled:

An act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," deleting a route in Hanover Township, Lehigh County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1034, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," requiring the use of 1959-1960 valuations in determining reimbursement fractions for the 1960-1961 school year.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### NOMINATIONS BY THE GOVERNOR

#### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### JUSTICE OF THE PEACE

August 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George Liberatore, Box 77, Beallsville, Washington County, for appointment as Justice of the Peace in and for the Borough of Beallsville, Washington County, until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

August 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edythe D. Thompson, Route 2, Hadley, Mercer County, for appointment as Justice of the Peace in and for the Township of Sandycreek, Mercer County, until the first Monday of January 1960, vice Joseph S. Partridge, resigned.

DAVID L. LAWRENCE.



## HOUSE MESSAGES

## HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 1638, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115) changing the method of personal registration and changing of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability and spouses and dependents of persons in military service . . . to register and to change enrollment of political party by mail.

Which was committed to the Committee on Local Government.

House Bill No. 1731, entitled:

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the city of West Chester.

Which was committed to the Committee on State Government.

House Bill No. 1735, entitled:

An Act amending "The Administrative Code of 1929," approved April 1, 1929 (P. L. 177) adding to the Department of Mines and Mineral Industries the Oil and Gas Inspectors Examining Board.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1740, entitled:

An Act providing for creation of an Oil and Gas Inspectors Examining Board in the Department of Mines and Mineral Industries, conferring powers and imposing duties on the board, and conferring powers and imposing duties in connection therewith, upon the Governor; providing for the qualifications, examination, appointment, term of office, removal and salaries of Oil and Gas Inspectors and providing penalties.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses therein; . . .," changing the times for filing returns.

Which was committed to the Committee on Local Government.

House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

Which was committed to the Committee on Local Government.

House Bill No. 1842, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Property and Supplies to procure malpractice insurance.

Which was committed to the Committee on State Government.

House Bill No. 1843, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), empowering administrative departments, or independent administrative, departmental administrative; or advisory boards or commissions to purchase malpractice insurance; and empowering the Department of Public Welfare to purchase medical payment insurance for the benefit of volunteer workers.

Which was committed to the Committee on State Government.

House Bill No. 1883, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1885, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) deleting the limitation on indebtedness for the purpose of erecting a townhouse.

Which was committed to the Committee on Local Government.

## PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, I occasionally read newspapers other than the Philadelphia newspapers, and I was a little astounded when I read the Lancaster Intelligencer and saw in there an article entitled, "Senator's Notebook," with a heading, "City Areas Take Most Tax Money." I then went on to read the article and found that it was written by Senator Ehrgood, the gentleman from Lebanon. I am certain that this was a political speech which was put into a newspaper, because any similarity between this and what is going on is purely coincidental and I am sure that no intention is meant.

The article goes on to point out how Philadelphia and Pittsburgh are grabbing all the money and building all these super-duper highways, and that the little rural communities are being completely abused. That does not happen to be the fact, but if it were the fact, I would like Senator Ehrgood to explain to us his vote of last week when he voted on one of the bills, which appeared on the Calendar, to allocate money that has been specifically set aside for maintenance and building of highways and which provided that some of that money be used for some other purpose. He then goes on to point out how, under the Tax Equalization Board ruling, the Democratic areas are reaping the harvest and how the Republican areas are being hard hit.

The facts are, Mr. President, that the area which Senator Ehrgood represents, the area of Lebanon, will receive



a greater amount of money than it ever received before. That happens to be a Republican area. It also happens that the city of Lancaster, which happens to be Democratic, will receive less money in the coming year than it is now receiving, under this new ruling.

The fact that is stated in here is that for the first time, —which he neglected to point out and I am sure only because this is a political speech and not intended to be an article of information—the city of Philadelphia and the city of Pittsburgh will be receiving what is due them on the basis of taxables. I do not believe I have to go on to point out at great length to the Members of this Senate what is happening in the large cities and how they are suffering from blight and the removal of taxables.

I would also like Senator Ehrgood to explain his vote of yesterday and his vote of last week, when he went on to further remove the taxables that are available by means of personal property which the city of Philadelphia and the city of Pittsburgh look forward to finance their school districts. I would also like to have explained his vote of last week to remove the city wage tax, a means of revenue which the city of Philadelphia now has. If this is not double talk, I have never heard it.

At the bottom of the article, it goes on to point out: "Turn to the next page for more Ehrgood." Reluctantly, I did so and more of Ehrgood went on to point out that this was all a scheme to hurt people in this Commonwealth. I am sure he well knows that this is not the situation at all.

I would also like to point out to the gentleman that if he would pay attention to the legislation, he would see that they have put a bill in the House which has a very excellent chance of not only being favorably considered, but passed, whereby the areas which are suffering, as a result of this Tax Equalization Board ruling,—and for the first time having an equitable ruling and an equitable distribution of this money—are going to allocate this loss over a period of four years, or a loss of twenty-five per cent per year. Thereby, the area, itself, would not feel it and it would not hurt these areas which need more money.

He then goes on to point out, in some sort of logic which I completely fail to follow, how, on the basis of population, or how, on the basis of mileage per person, we want to receive more money than we are entitled to from the reimbursement on our streets and paving. I think that the last census, alone, will indicate that the gentleman is in error and that he has truly erred in trying to point out to his people this information.

I think that some of this, as a political stunt,—not that I approve of it—might be considered well. In the heat of a campaign, it might even be considered well. However, I do not see why a Member, who is elected as a responsible Member from a community, would try to distort or twist the facts as they are in presenting a picture of a rural area against the city areas which, incidentally, I would like to point out to the good Senator, provide for a great deal of our culture and amusement. I would like to point out to him that just very recently, some of the people who live in the surrounding areas of Philadelphia stated that they are very happy to pay the wage tax because they realize the benefits they derive as a result of this small amount which they pay. The amount which they receive from the cities is a great deal more, proportion-

ately speaking, than what they pay. Without the city of Philadelphia, they, themselves, could not afford or could not begin to provide an area of culture, an area of entertainment, an area of earning a livelihood, or an area where they can benefit as a result of their living close to this area.

Therefore, Mr. President, not only is this nonsense in bad taste, but I think it certainly behooves the Senator, as a responsible member of the community and as a responsible Member of this Senate, to admit that this is what it is, strictly political and nonsense at that. I do not think any of it is borne out by the facts. As they say in television, on Dragnet, "All we want is the facts, man, just the facts."

Mr. EHRGOOD. Mr. President, after hearing this political speech from the Minority Leader, I would like to say that, at least, I am glad he reads my articles because he probably gets some honest information and some good Republican information, instead of just Democratic propaganda.

Mr. President, I have never stated that I was bipartisan. I am a politician and I am happy to be a politician. It is a good thing for a change to have true facts brought out, and I was bringing them out. There is no doubt that in the highway situation, Philadelphia, Allegheny County and York County, during the last four years, got all of the money.

You come to Lebanon County and try to find out what maintenance or road building was done in Lebanon County, or any of the surrounding areas, and please point it out to me. Even the Secretary of Highways admitted that fact to me.

Concerning the State Tax Equalization Board, these are some more phony figures, because they put out what the county supposedly gains or loses in the State Tax Equalization Board figures. For instance, a very interesting point arose. They talk about the 1958 market value and the 1957 market value for Cornwall Borough, and they say that Cornwall Borough lost \$4,415,400. Then later they show figures for the county as a whole, giving the net loss in Lebanon County as \$4,871,500. These figures look good on paper. However, let us just look at the facts. Cornwall Borough lost \$4,415,400, and whether they lost even more than that, \$7,000,000 or \$10,000,000, it would not make one iota of difference because that happens to be a very rich district and they only received the minimum of \$1,000. Therefore, it does not matter what happens. Yes, I will state that it meant that the city of Lebanon did have a net loss and they will probably be gaining some money in State subsidies.

However, I recognize part of the scheme here. The city of Lebanon is a swinging situation between the Republicans and the Democrats. I do not know and I am not positive of this, but there seems to be some insinuation by some people that perhaps the Democratic Administration and the State Tax Equalization Board hope to gain some Democratic votes in the city of Lebanon and make that a Democratic city. Well, of course, we Republicans in Lebanon County, the good citizens of Lebanon County, are not just localized. They recognize it as a total figure and realize that the other districts have an equal share.

When we are talking about the State Tax Equalization Board and some House Bill is mentioned which would defer and spread it over a four year period, I am glad



to hear that such a bill has been introduced. Of course, it was only introduced as a result of the Republican Senate Caucus calling the State Tax Equalization Board into its Caucus and questioning them on these figures. Probably that is the reason why there has been some action taken by the Administration, because, after all, there are some rural Democratic districts which have been hurt by this situation now pending before the State Tax Equalization Board.

I forget all of the rest of the points which the Senator raised. There were so many. However, I might state that the article is, of course, political in many senses because I am talking from a political standpoint. In these articles, I try to give facts to the people which I am sure they understand and recognize as being as nonpartisan, from a political angle, as possible.

Mr. WEINER. Mr. President, I tried to follow the gentleman very carefully and how the lack of a road program in his county can be blamed on Philadelphia, I fail to understand. The fact that Philadelphia has had a road program and a highway program and has, very frankly, tried to do everything possible to get a better program than they have now, and have been for the first time getting their fair share in this matter, I can understand would irritate the Senator no end.

Also, a fact I might point out which he failed to point out in his article—if we are going to talk about real facts—is why didn't the school districts in your area, when they felt that they were being hurt, appeal to the Board, which they have every right to do. The other phase of it, which I think you should bear in mind as well, is that you say, on one hand, that there has been some bill introduced to alleviate this problem and, on the other hand, you say there are some Democratic districts which have been hurt. To say that this is a political bill which is intended to hurt its own people, I fail to see that or understand it. Maybe this is a new type of political logic which I do not comprehend completely. Perhaps you can explain it to me.

The Republican bill which was just reported from the Rules Committee today, as I understand it, freezes back to the 1958 level the workings of the Tax Equalization Board. I do not know how you are going to explain that to your people back home, but if you give it to them as factually as you gave them this other information, they are certainly going to be misinformed and some of them are going to be very disappointed about the money they do not get.

I do not think that because something has been operating badly and it has finally been straightened out, and it is to the detriment of some of the people, but the general group of people will derive a benefit, that we now can claim "foul" and change the rules again to play the game a different way. I am certain that you have enough fairness in your make-up to realize that this is not the way to run a ball game or a railroad.

One of the other things that we must do here is take care of the children who live in this community, regardless of whether they happen to be in a Republican Senator's District or a Democratic Senator's District. I think that the basic thing all of us must do is give the people the facts as they exist and not as we would like them to exist or not as we hope they will help us come next election day.

Mr. EHRGOOD. Mr. President, I thought you were looking over on the other side for me. However, I am still standing on this side, no matter what the Senator from Philadelphia might state.

That is my criticism. I am interested in the school children in other parts of the State and not only in Philadelphia. The entire tenor of that article, to which the Senator referred, concerned the situation of what was trying to be done in Philadelphia as compared to the rest of the State. After all, there are more people in the rest of the State than there are in Philadelphia.

I might state that the Secretary of Highways has admitted that the bulk of the money has gone to the large cities where the glamor roads, as he puts it, are located. It is about time that the rest of the State is recognized as having roads which are very, very important and that the people in the rural districts should be treated just as well.

I might say one other thing to the Senator concerning the State Tax Equalization Board. As he might know, or as he will recall, the appeal period is August 31 and I am sure that there will be quite a few appeals from Lebanon County. As a matter of fact, I happen to be preparing one right now.

Mr. HAYS. Mr. President, the gentleman's remark reminds me of a preface that was supposed to be written in a history of the Civil War, prepared by a professor from the South. He said that it was an unbiased account of the Civil War from a southern viewpoint.

Mr. MAHADY. Mr. President, I think that we would be remiss if we did not note the fact that the school system, since I have been in this Senate, has been made a political football. I have seen the school system, first, under an investigation to no end, or no constructive end that I have seen so far. Now I see the figures misconstrued for a political purpose.

The reason the Tax Equalization Board was created was to make the local people put their own house in order. They determined that they needed a certain amount of money. Whether they would receive this from local sources or from a handout from the State depended on what kind of a job they were doing at home.

Under the figures, I am in the same boat as the Senator from Lebanon. They show us, in Westmoreland County, having a minus \$454,700 and a minus \$63,700 in 1958 compared to 1959. However, it is incumbent upon us to see that the assessments are put in line at home, which we are doing. People have been found, in our own county, who are not on the assessment rolls. There are also people who have assessments which have not been changed for twenty to thirty years.

The idea is that the State has so much money in the ball of wax and allocation of this ball of wax is then determined on what the districts should have assessed their own people, and that amount is subtracted from the total amount that should be coming to them to run their school districts.

If the districts want to raise this amount and we want to increase the ball of wax, that is another problem. The problem is one of fairness. It has nothing to do with politics, but it does have to do with the efficiency of government. The Commonwealth of Pennsylvania is the biggest industry in Pennsylvania. It has to be run on a businesslike basis. It cannot be run on the fact that we have

the most votes, so we get the most money, and that applies to Lebanon County, Westmoreland County or any other city or county. The rules must be businesslike rules and not a political football.

I have one more remark to make and that has to do with the roads. The good Senator on the other side of the aisle also forgets that we return money to the counties, to the cities and to the townships. There is also the question of Federal-aid. Federal-aid does go for thoroughways. I have been working on a program with the Secretary of Highways for a greater rural participation in the funds that are available by making more funds available for rural roads. This program, in the eyes of the Administration, is a must. However, first commitments must come first, and the Federal moneys available shall not be lost and we cannot lose them. Even Westmoreland, which is a rural county,—and because of its population, as one of our newspapers pointed out two weeks ago, is the third largest taxpaying county in the State—ranks somewhere around twenty-fifth in the amount of money allocated for roads. Yet, this is due not to the fault of any administration or any preconceived idea. We must, of necessity, as I say, secure the Federal moneys. If we are going to throw out businesslike principles in every issue and say politics, as usual, comes first, then Senator Ehrgood is right. However, if business principles and common sense and the progress of the whole Commonwealth comes first, then he is wrong and I must disagree with him.

### BILL INTRODUCED AND REFERRED

Mr. RUTH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, on behalf of Mr. WEINER, (By request) read in place and presented to the Chair, Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act," permitting the resale, retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

Which was committed to the Committee on Banking.

### ADJOURNMENT

Mr. FLEMING. Mr. President, I move that the Senate do now adjourn until Wednesday, August 5, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:09 o'clock, p. m., Eastern Standard Time, until Wednesday, August 5, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

TUESDAY, August 4, 1959

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

Reverend Thomas S. Logan, guest Chaplain, Pastor of the Calvary Episcopal Church, Philadelphia, and guest of the gentleman from Philadelphia, Mr. Holt, offered the following prayer:

Let us pray: For our Country

Almighty God, who hast given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that here may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail; all which we ask through our Lord God. Amen.

For the State Legislature:

O God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; we beseech Thee so to guide and bless the Legislature of this State, that it may ordain for our governance only such things as please Thee, to the glory of Thy Name and the welfare of the the people. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, August 3, 1959 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. TAYLOR, SCHAAF, BELL,  
and OGILVIE.

HOUSE BILL No. 2287.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Referred to the Committee on State Government

By MR. POLEN

HOUSE BILL No. 2288.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), making the levying of a tax on salaries, professions, trades and occupations and persons who follow no occupation or calling optional in counties.

Referred to the Committee on Counties

## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. POLEN, McCANN, WOOD  
and A. W. JOHNSON.

(Concurrent) RESOLUTION No. 100.

In the House of Representatives, August 3, 1959

Whereas, The procedures employed by the Commonwealth to make available financial assistance to non-profit hospitals in order to facilitate the care of the sick and the injured poor have not been comprehensively reviewed within the recent past; and

Whereas, Alternative procedures have been suggested; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission investigate and evaluate the standards and procedures currently used by the Commonwealth to provide such financial aid, and that currently used procedures be compared with alternative procedures proposed as regards Commonwealth costs and operating efficiency; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations, together with drafts of such legislation as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly.

Referred to the Committee on Rules.

## ANNOUNCEMENT

Mr. TOMPKINS. Mr. Speaker, we are agreed that we are going to pick up on the calendar where we left off yesterday and go right straight through, and that we will take a recess for one-half hour beginning at 1:30 o'clock Daylight Saving Time for lunch.

We make this announcement so the members will not go in separately to get lunch and we will not have a working force on the Floor.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 719.

An Act authorizing the display of the American War Mother's banner on the main building of the State Capitol of the Commonwealth on Veterans' Day.

Referred to the Committee on Military Affairs.

SENATE BILL No. 828.

An Act amending the act of June 17, 1913 (P. L. 507), entitled "Intangible Personal Property Tax Law" providing that the tax shall not apply to the property held in certain trusts established by individuals for retirement purposes.

Referred to the Committee on State Government.

SENATE BILL No. 829.

An Act amending the act of May 23, 1949 (P. L. 1676), entitled as amended "An Act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property \* \* \*" providing that the tax shall not apply to property held in certain trusts established by individuals for retirement purposes.

Referred to the Committee on State Government.

SENATE BILL No. 830.

An Act amending the act of June 20, 1947 (P. L. 733), entitled as amended "An Act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property \* \* \*" providing that the tax shall not apply to property held in certain trusts established by individuals for certain purposes.

Referred to the Committee on State Government.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 463.

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls \* \* \*" requiring memorial halls \* \* \*" requiring memorial halls to contain rooms for meetings of the Italian American World War Veterans of the United States Incorporated.

#### HOUSE BILL No. 464.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing appropriations to posts of the Italian American World War Veterans of the United States Incorporated to defray the costs of Memorial Day and Armistice Day.

#### HOUSE BILL No. 465.

An Act amending the act of April 8, 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the peddling of labeled flowers of the Italian American World War Veterans of the United States Incorporated.

#### HOUSE BILL No. 469.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) providing rooms for use of the Italian American World War Veterans of the United States Incorporated and for its membership on the board of control.

#### HOUSE BILL No. 1530.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. ) No. 32 by providing that no registration plates shall be issued to any person who has failed to pay for previously issued plates.

#### HOUSE BILL No. 1665.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 32) clarifying the term "child" or "children" when it is used to indicate their entering or leaving a school bus.

#### HOUSE BILL No. 1936.

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes" designating the lake area on which motor boats may be operated and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORTS FROM COMMITTEE

Mr. DEVLIN from the Committee on Judiciary reported as amended, House Bill No. 2034, entitled:

An Act amending the Act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; \*\*\*" further defining the liability of relatives and estates by the entireties.

Mr. CIOFFO from the Committee on Counties, re-reported as amended, Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" increasing and fixing the salaries of certain offices.

Mr. CIOFFI from the Committee on Counties, re-reported as amended, Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" increasing the salaries of certain employees and county officers.

Mr. CIOFFI from the Committee on Counties, re-reported as amended, Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain officers in counties of the eighth class.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning divises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees and substituted trustees thereof, sureties of said trustees, the investment of such trust funds, accounts of said trustees; approving actions and proceedings prior to this act; and repealing conflicting laws," extending the provisions thereof to include political subdivisions.

Mr. NELSON from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 1335, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), increasing the powers and duties of the Department of Agriculture.

Mr. ISSACS from the Committee on Judiciary, reported as committed, House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

Mr. KORNS from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 2068, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for use by the School of Agriculture in the conduct of research into bovine mastitis.

Mr. WORLEY from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 2069, entitled;



An Act making an appropriation to the Trustees of the University of Pennsylvania for use by the School of Veterinary Medicine in the conduct of research into certain matters relating to bovine mastitis.

Mr. YETER from the Committee on Highways, reported as committed, Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1229 entitled:

An Act amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees and substituted trustees thereof, sureties of said trustees, the investment of such trust funds, accounts of said trustees; approving actions and proceedings prior to this act; and repealing conflicting laws," extending the provisions thereof to include political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1335 entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the powers and duties of the Department of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2068, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for use by the School of Agriculture in the conduct of research into bovine mastitis.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2069, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for use by the School of Veterinary Medicine in the conduct of research into certain matters relating to bovine mastitis.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILL No. 260

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Pa. August 4, 1959.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 260, Printer's No. 849, entitled "An Act creating and establishing the Legislative Budget and Finance Committee providing for its membership prescribing its powers functions and duties providing for the appointment of a legislative analyst clerical legal accounting and other personnel and making an appropriation."

DAVID L. LAWRENCE.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WHEELER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

The SPEAKER. Does any Member desire briefly to address the House during this period of leisure? The Chair has observed that at times when there is pressing business on the calendar that calls for attention, everybody wants to speak under unanimous consent. Here is the privilege of open time and everybody apparently is "spoke out."

### BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1897, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216) further regulating the disbursements of funds by brokers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 20, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs towns and townships and the regulation and maintenance thereof.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 559, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing provisions and penalties with respect to unlawful acts concerning traffic and safety signs.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 740, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) prescribing powers and duties of the Department of Health relating to radioactive materials.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof \* \* \* operation and conduct thereof by the Department of Welfare \* \* \*" re-defining "boarding houses for infants."

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties for the Department of Public Welfare.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1675, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1733, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicle and tractors" redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing exempting certain vehicles from lighting requirements providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and assistant chief of police to be equipped with a siren extending the time during which a red light must be placed at the end of a load prohibiting parking in certain additional places requiring operators to obey the directions of signs extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457) further regulating the exercise of powers by the Department of Banking and boards thereof \* \* \*.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1873, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) requiring employers to furnish employees with instructions on their rights in the event of an accident.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1877, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) requiring employers to furnish employees with instructions on their rights in the event of disability or death caused by occupational disease.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1945, entitled:



An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

The SPEAKER. Without objection, the remaining Senate Bills on page 8 and all bills on pages 9 and 10 will be passed over.

Without objection, bills on final passage recalled from the Governor on page 11 will be passed over.

The Chair hears none.

#### BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, by an agreement this morning between the respective groups we hoped that we would start where we left off yesterday.

I would request unanimous consent of the House that we turn to page 20, bills on third reading. The first bill would be House Bill 1638, Printer's No. 1148. This will also be the first roll call of the day and we would like to move right along if the permission of the House is granted.

The SPEAKER. Will the House give its unanimous consent to call up House Bill No. 1638? The Chair hears no objection, and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1638, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), changing the method of personal registration and change of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability and spouses and dependents of persons in military service \* \* \* to register and to change enrollment of political party by mail.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill No. 1638, Printer's No. 1148, is an amendment to the First Class City Permanent Registration Act and is a piece of legislation needed for absentee voting and registration in the first class city, the city of Philadelphia.

The companion acts to this bill dealing with the Permanent Registration Act for the balance of the state have been passed by the House and sent to the Senate.

Mr. Speaker, this bill is needed to complete the package for the change or amendment to the First Class City Permanent Registration Act. I ask that the House support unanimously House Bill 1638.

Mr. McCANN. Mr. Speaker, this is the first roll call of the day. The Mines Committee on the Knox Mine Disaster is out of the House, the Republican and Democrat Members, the gentlemen from Luzerne, Mr. Musto, Mr. Meholchick and the gentleman from Lackawanna, Mr. Reidenbach. I would ask that when the roll call is completed, those gentlemen all be recorded. I am going to try to get them in here for the roll call. They are not present as well as the Republican Members.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—193

Agnew,	Galley,	McCormack,	Royer,
Anderson,	Gallagher,	McDonald,	Rudisill,
Arlene,	Garlock,	McInroy,	Sakulsky,
Ashton,	Gelfand,	McKeever,	Scarcelli,
Auker,	George,	McLaughlin,	Schaaf,
Balthaser,	Gibb,	Machmer,	Schuster,
Barton,	Goldstein,	Magee,	Schwartz,
Bell,	Goodrich,	Mahan,	Seltzer,
Blair,	Gramlich,	Markley,	Sherman,
Boles,	Guthrie,	Maxwell,	Shupnik,
Bonner,	Hamilton,	Meholchick,	Silverman,
Bower,	Helm,	Merry,	Snare,
Bowman,	Henzel,	Mihm,	Snider,
Brenninger,	Hocker,	Miller, B. Z.,	Stank,
Breth,	Holliday,	Miller, H. G.,	Steckel,
Brown,	Holt,	Mills,	Stevens,
Buchanan,	Horst,	Monroe,	Stewart,
Burns,	Irvls,	Muldowney,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Clarke,	Johnson, R.,	Musto,	Taylor,
Comer,	Jones, F. R.,	Naugle,	Tompkins,
Crossin,	Jones, T. H. W.,	Needham,	Trusio,
Curwood,	Jump,	Nelson,	Ujohal,
Davis,	Kamyk,	O'Dell,	Varallo,
Dengler,	Kee,	O'Donnell, J. A.,	Varnier,
Dennison,	Keiser,	O'Donnell, J. P.	Verona,
Devlin,	Kernaghan,	Odorisio,	Wall,
Donahue,	Kessler,	Oglvie,	Walsh,
Donaldson,	Knecht,	O'Neill,	Wargo,
Dougherty,	Kooker,	Parlante,	Weidner,
Down,	Kornick,	Pashley,	Welsh,
Edwards,	Korns,	Perry, H. H.,	Wheeler,
Ellberg,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshback,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Ewing,	Lamb,	Polaski,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polen,	Willaredt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wilt,
Filo,	Leonard,	Price,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lippincott,	Reidenbach,	Yatron,
Foerster,	Lopresti,	Renwick,	Yetter,
Fox,	Luigard,	Rigby,	Zimmerman,
Frank,	Lutty,	Riley,	Andrews,
Fracella,	McCandless,	Rovansek,	Speaker
Fulmer,	McCann,		

## NAYS—0

## NOT VOTING—15

Boris,	Eshleman,	Mullen,	Thompson,
Branca,	Heavey,	Murray, J. J.,	Wescott,
Cooper,	Heffner,	Murray, P. G.,	Willard,
Dennis,	Moran,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MIHM asked and obtained permission for the Committee on Cities—Counties, Second Class and Second Class A to meet during the session of the House.

### BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, I request that we go to page 22 of today's calendar, House Bill No. 1731.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1731, entitled:

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the city of West Chester.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Agnew,	Galley,	McCormack,	Royer,
Anderson,	Gallagher,	McDonald,	Rudisill,
Arlene,	Garlock,	McInroy,	Sakulsky,
Ashton,	Gelfand,	McKeever,	Scarcelli,
Auker,	George,	McLaughlin,	Schaaf,
Balthaser,	Gibb,	Machmer,	Schuster,
Barton,	Goldstein,	Magee,	Schwartz,
Bell,	Goodrich,	Mahan,	Seltzer,
Bialr,	Gramlich,	Markley,	Sherman,
Boles,	Guthrie,	Maxwell,	Shupnik,
Bonner,	Hamilton,	Meholchick,	Silverman,
Bower,	Helm,	Merry,	Snare,
Bowman,	Henzel,	Mihm,	Snider,
Brenninger,	Hocker,	Miller, B. Z.,	Stank,
Breth,	Holliday,	Miller, H. G.,	Steckel,
Brown,	Holt,	Mills,	Stevens,
Buchanan,	Horst,	Monroe,	Stewart,
Burns,	Irvis,	Muldowney,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cloffi,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Clarke,	Johnson, R.,	Musto,	Taylor,
Comer,	Jones, F. R.,	Naugle,	Tompkins,
Crossin,	Jones, T. H. W.,	Needham,	Trusio,
Curwood,	Jump,	Nelson,	Ujohal,
Davis,	Kamyk,	O'Dell,	Varallo,
Dengler,	Kee,	O'Donnell, J. A.,	Varnier,
Dennison,	Keiser,	O'Donnell, J. P.	Verona,
Devlin,	Kernaghan,	Odorisio,	Wall,
Donahue,	Kessler,	Ogilvie,	Walsh,
Donaldson,	Knecht,	O'Neill,	Wargo,
Dougherty,	Kooker,	Parlante,	Weidner,
Down,	Kornick,	Pashley,	Welsh,
Edwards,	Korna,	Perry, H. H.,	Wheeler,
Ellberg,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshback,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,

Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,

Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Light,  
Limper,  
Lippincott,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,  
McCann,

Polaski,  
Polen,  
Prendergast,  
Price,  
Reidenbach,  
Rigby,  
Pursley,  
Reibman,  
Renwick,  
Riley,  
Rovanseck,

Williams, E. S.,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—15

Boris,	Eshleman,	Mullen,	Thompson,
Branca,	Heavey,	Murray, J. J.,	Wescott,
Cooper,	Heffner,	Murray, P. G.,	Willard,
Dennis,	Moran,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1735, entitled:

An Act amending "The Administrative Code of 1929" approved April 1, 1929 (P. L. 177) adding to the Department of Mines and Mineral Industries the Oil and Gas Inspectors Examining Board.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KORNIS. Mr. Speaker, that is not my signature on the bill.

The SPEAKER. The Chair would inform the gentleman from Somerset that on the official bill his name does not appear, and it does not appear in the History. This is a typographical error only on the calendar and will be corrected. The name properly on the bill is Kornick of Fayette, instead of Kornis from Somerset.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—144

Anderson,	Garlock,	McKeever,	Rovanseck,
Arlene,	Gelfand,	McLaughlin,	Royer,
Auker,	Gibb,	Machmer,	Rudisill,
Balthaser,	Goldstein,	Mahan,	Sakulsky,
Blair,	Gramlich,	Markley,	Scarcelli,
Boles,	Guthrie,	Maxwell,	Schaaf,
Bonner,	Hamilton,	Meholchick,	Schuster,
Bower,	Helm,	Mihm,	Schwartz,
Branca,	Henzel,	Mills,	Sherman,
Brenninger,	Hocker,	Monroe,	Shupnik,
Breth,	Holt,	Muldowney,	Silverman,
Buchanan,	Irvis,	Munley,	Snider,
Burns,	Jenkins,	Murphy, A. J., Jr.	Stank,
Capano,	Jim,	Murphy, P. J.,	Steckel,
Capitolo,	Johnson, A. W.,	Murray, J. J.,	Stevens,
Cianfrani,	Johnson, R.,	Musto,	Stimmel,
Cloffi,	Jones, F. R.,	Naugle,	Stone,
Clarke,	Jones, T. H. W.,	Needham,	Stoner,
Comer,	Jump,	Nelson,	Stroup,
Crossin,	Kamyk,	O'Donnell, J. A.,	Taylor,
Curwood,	Kee,	O'Donnell, J. P.	Trusio,
Davis,	Keiser,	O'Neill,	Varallo,
Dengler,	Kornick,	Parlante,	Verona,
Devlin,	Kovolenko,	Pashley,	Walsh,



Donaldson, Dougherty, Eilberg, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Galley, Gallagher,	Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, Riley,	Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Rigby, Riley, Speaker	Wargo, Welsh, Wheeler, Whittaker, Williams, E. S., Willard, Wilt, Worley, Yatron, Yetter, Andrews, Speaker
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## NAYS—51

Agnew, Ashton, Barton, Bell, Bowman, Brown, Dennison, Donahue, Down, Edwards, Eshback, Ewing, Fetterolf,	Fox, Fulmer, George, Goodrich, Holliday, Horst, Isaacs, Kernaghan, Kessler, Knecht, Kooker, Korns, Lee, A. M.,	Light, McCandless, McInroy, Magee, Merry, Miller, B. Z., Miller, H. G., Murray, H. P., O'Dell, Odorisio, Ogilvie, Pursley, Seltzer,	Snare, Stewart, Strausser, Tompkins, Ujobal, Varner, Wall, Weidner, Williams, A. D., Jr., Wood, Wynd, Zimmerman,
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## NOT VOTING—13

Boris, Cooper, Dennis, Eshleman,	Heavey, Heffner, Moran,	Mullen, Murray, P. G., Sullivan,	Thompson, Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## WELCOME TO FORMER MEMBER AND MAYOR

The SPEAKER. The Chair welcomes to the Hall of the House the Mayor of Philadelphia, the Honorable Richardson Dilworth, and the Honorable Ben Long, former Member and former Chief Clerk.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1740, entitled:

An Act providing for creation of an Oil and Gas Inspectors Examining Board in the Department of Mines and Mineral Industries conferring powers and imposing duties on the board and conferring powers and imposing duties in connection therewith upon the Governor providing for the qualification examination appointment term of office removal and salaries of Oil and Gas Inspectors and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—144

Anderson, Arlene, Auker, Balthaser, Blair, Boles, Bonner, Bower, Branca,	Garlock, Gelfand, Gibb, Goldstein, Gramlich, Guthrie, Hamilton, Helm, Henzel,	McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Mihm, Mills,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Sherman,
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Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Devlin, Donaldson, Dougherty, Eilberg, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Galley, Gallagher,	Hocker, Holt, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelsner, Kornick, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, Riley,	Monroe, Muldowney, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Rigby, Riley,	Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stimmel, Stone, Stoner, Stroup, Taylor, Trusio, Varallo, Verona, Walsh, Wargo, Welsh, Wheeler, Whittaker, Williams, E. S., Willard, Wilt, Worley, Yatron, Yetter, Andrews, Speaker
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## NAYS—51

Agnew, Ashton, Barton, Bell, Bowman, Brown, Dennison, Donahue, Down, Edwards, Eshback, Ewing, Fetterolf,	Fox, Fulmer, George, Goodrich, Holliday, Horst, Isaacs, Kernaghan, Kessler, Knecht, Kooker, Korns, Lee, A. M.,	Light, McCandless, McInroy, Magee, Merry, Miller, B. Z., Miller, H. G., Murray, H. P., O'Dell, Odorisio, Ogilvie, Pursley, Seltzer,	Snare, Stewart, Strausser, Tompkins, Ujobal, Varner, Wall, Weidner, Williams, A. D., Jr., Wood, Wynd, Zimmerman,
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## NOT VOTING—13

Boris, Cooper, Dennis, Eshleman,	Heavey, Heffner, Moran,	Mullen, Murray, P. G., Sullivan,	Thompson, Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses therein \* \* \*" changing the times for filing returns.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton,	Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster,
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Bell,	Goldstein	Magee,	Schwartz,
Bialr,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Helm,	Merry,	Snare,
Branca,	Henzel,	Mihm,	Snider,
Brenninger,	Hocker,	Miller, B. Z.,	Stank,
Breth,	Holliday,	Miller, H. G.,	Steckel,
Brown,	Holt,	Mills,	Stevens,
Buchanan,	Horst,	Monroe,	Stewart,
Burns,	Irviss,	Muldowney,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Clarke,	Johnson, R.,	Murray, J. J.,	Taylor,
Comer,	Jones, F. R.,	Musto,	Tompkins,
Crossin,	Jones, T. H. W.,	Naugle,	Trusio,
Curwood,	Jump,	Needham,	Ujbal,
Davis,	Kamyk,	Nelson,	Verona,
Dengler,	Kee,	O'Dell,	Varner,
Dennison,	Kelser,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Wall,
Donahue,	Kessler,	Odorisio,	Walsh,
Donaldson,	Knecht,	Ogilvie,	Wargo,
Dougherty,	Kooker,	O'Neill,	Weidner,
Down,	Kornick,	Parlante,	Welsh,
Edwards,	Korns,	Pashley,	Whittaker,
Eilberg,	Kovolenko,	Perry, H. H.,	Willard,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker
Frascella,	McCandless,	Riley,	

## NAYS—0

## NOT VOTING—13

Boris,	Heavey,	Mullen,	Thompson,
Cooper,	Heffner,	Murray, P. G.,	Wescott,
Dennis,	Moran,	Sullivan,	Willard,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951" approved March 19, 1951 (P. L. 28) making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Galley,	McDonald,	Rudisill,
Anderson,	Gallagher,	McInroy,	Sakulsky,
Arlene,	Garlock,	McKeever,	Scarcelli,
Ashton,	Gelfand,	McLaughlin,	Schaaf,
Auker,	George,	Machmer,	Schuster,
Balthaser,	Gibb,	Magee,	Schwartz,
Barton,	Goldstein,	Mahan,	Seltzer,
Bell,	Goodrich,	Markley,	Sherman,
Blair,	Gramlich,	Maxwell,	Shupnik,

Boles,	Guthrie,	Meholchick,	Silverman,
Bonner,	Hamilton,	Merry,	Snare,
Bower,	Helm,	Mihm,	Snider,
Bowman,	Henzel,	Miller, B. Z.,	Stank,
Branca,	Hocker,	Miller, H. G.,	Steckel,
Brenninger,	Holliday,	Mills,	Stevens,
Breth,	Holt,	Monroe,	Stewart,
Brown,	Horst,	Muldowney,	Stimmel,
Buchanan,	Irviss,	Munley,	Stone,
Burns,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Capano,	Jenkins,	Murphy, P. J.,	Strausser,
Capitolo,	Jim,	Murray, H. P.,	Stroup,
Cianfrani,	Johnson, A. W.,	Murray, J. J.,	Sullivan,
Cioffi,	Johnson, R.,	Musto,	Taylor,
Clarke,	Jones, F. R.,	Naugle,	Thompson,
Comer,	Jones, T. H. W.,	Needham,	Tompkins,
Crossin,	Jump,	Nelson,	Varallo,
Davis,	Kamyk,	O'Dell,	Trusio,
Dengler,	Kee,	O'Donnell, J. A.,	Ujbal,
Dennison,	Kelser,	O'Donnell, J. P.,	Verona,
Devlin,	Kernaghan,	Odorisio,	Varner,
Donahue,	Kessler,	Ogilvie,	Wall,
Donaldson,	Knecht,	O'Neill,	Walsh,
Dougherty,	Kooker,	Parlante,	Wargo,
Down,	Kornick,	Pashley,	Weidner,
Edwards,	Korns,	Perry, H. H.,	Welsh,
Eilberg,	Kubitsky,	Perry, P. E.,	Whittaker,
Eshback,	Lamb,	Petrosky,	Willard,
Ewing,	Lee, A. M.,	Polaski,	Williams, A. D., Jr.,
Farabaugh,	Lee, K. B.,	Polen,	Williams, E. S.,
Fetterolf,	Leonard,	Prendergast,	Wilt,
Filo,	Limper,	Price,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Lippincott,	Reibman,	Wynd,
Flynn,	Lopresti,	Reidenbach,	Yatron,
Foerster,	Lugard,	Renwick,	Yetter,
Fox,	Lutty,	Rigby,	Zimmerman,
Frank,	McCandless,	Riley,	Andrews,
Frascella,	McCann,		Speaker
Fulmer,	McCormack,		

## NAYS—0

## NOT VOTING—13

Boris,	Eshleman,	Moran,	Wescott,
Cooper,	Heavey,	Mullen,	Willard,
Dennis,	Heffner,	Murray, P. G.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1842, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Property and Supplies to procure mal-practice insurance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—153

Anderson,	Galley,	McLaughlin,	Sakulsky,
Arlene,	Gallagher,	Machmer,	Scarcelli,
Balthaser,	Garlock,	Mahan,	Schaaf,
Bell,	Gelfand,	Markley,	Schuster,
Blair,	George,	Maxwell,	Schwartz,
Boles,	Goldstein,	Meholchick,	Seltzer,
Bonner,	Goodrich,	Mihm,	Sherman,
Bower,	Guthrie,	Mills,	Shupnik,
Branca,	Hamilton,	Monroe,	Silverman,
Brenninger,	Henzel,	Muldowney,	Snare,
Breth,	Holt,	Munley,	Snider,



Buchanan,	Iris,	Murphy, A. J., Jr.,	Stank,
Burns,	Jenkins,	Murphy, P. J.,	Steckel,
Capano,	Jim,	Murray, J. J.,	Stevens,
Capitolo,	Johnson, R.,	Musto,	Stewart,
Cianfrani,	Jones, F. R.,	Naugle,	Stimmel,
Cioffi,	Jones, T. H. W.,	Needham,	Stone,
Clarke,	Jump,	Nelson,	Stoner,
Comer,	Kamyk,	O'Donnell, J. A.,	Stroup,
Crossin,	Kee,	O'Donnell, J. P.,	Taylor,
Curwood,	Kessler,	O'Neil,	Trusio,
Davis,	Knecht,	Parlante,	Ujobai,
Dengler,	Kornick,	Pashley,	Varallo,
Dennison,	Kovolenko,	Perry, H. H.,	Varnier,
Devlin,	Kubitsky,	Perry, P. E.,	Verona,
Donahue,	Lamb,	Petrosky,	Walsh,
Dougherty,	Lee, A. M.,	Polaski,	Wargo,
Eilberg,	Lee, K. B.,	Polen,	Welsh,
Eshback,	Leonard,	Prendergast,	Wheeler,
Farabaugh,	Limper,	Price,	Whittaker,
Fetterolf,	Lopresti,	Reidman,	Williams, A. D., Jr.,
Filo,	Luigard,	Reidenbach,	Williams, E. S.,
Fineman,	Lutty,	Renwick,	Willaredt,
Floyd,	McCann,	Rigby,	Wynd,
Flynn,	McCormack,	Riley,	Yatron,
Foerster,	McDonald,	Rovansek,	Yetter,
Fox,	McInroy,	Royer,	Zimmerman,
Frank,	McKeever,	Rudisill,	Andrews,
Frascella,			Speaker

## NAYS—42

Agnew,	Gibb,	Korns,	Odorisio,
Ashton,	Gramlich,	Light,	Ogilvie,
Auker,	Helm,	Lippincott,	Pursley,
Barton,	Hocker,	McCandless,	Strausser,
Bowman,	Holliday,	Magee,	Tompkins,
Brown,	Horst,	Merry,	Wall,
Donaldson,	Isaacs,	Miller, B. Z.,	Weidner,
Down,	Johnson, A. W.,	Miller, H. G.,	Wilt,
Edwards,	Kelser,	Murray, H. P.,	Wood,
Ewing,	Kernaghan,	O'Dell,	Worley,
Fulmer,	Kooker,		

## NOT VOTING—13

Boris,	Heavey,	Mullen,	Thompson,
Cooper,	Hefner,	Murray, P. G.,	Wescott,
Dennis,	Moran,	Sullivan,	Willard,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1843, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) empowering administrative departments or independent administrative departmental administrative or advisory boards or commissions to purchase mal-practice insurance and empowering the Department of Public Welfare to purchase medical payment insurance for the benefit of volunteer workers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—153

Anderson,	Galley,	Machmer,	Scarcelli,
Arlene,	Gallagher,	Mahan,	Schaaf,
Balthaser,	Garlock,	Markley,	Schuster,
Bell,	Gelfand,	Maxwell,	Schwartz,
Blair,	George,	Mehoichick,	Seltzer,
Boles,	Goldstein,	Mihm,	Sherman,
Bonner,	Goodrich,	Mills,	Shupnik,
Bower,	Guthrie,	Monroe,	Silverman,

Branca,	Hamilton,	Muldowney,	Snare,
Brenninger,	Henzel,	Munley,	Snider,
Breth,	Holt,	Murphy, A. J., Jr.,	Stank,
Buchanan,	Iris,	Murphy, P. J.,	Steckel,
Burns,	Jenkins,	Murray, J. J.,	Stevens,
Capano,	Jim,	Musto,	Stewart,
Capitolo,	Johnson, R.,	Naugle,	Stimmel,
Cianfrani,	Jones, F. R.,	Needham,	Stone,
Cioffi,	Jones, T. H. W.,	Nelson,	Stoner,
Clarke,	Jump,	O'Donnell, J. A.,	Stroup,
Comer,	Kamyk,	O'Donnell, J. P.,	Taylor,
Crossin,	Kee,	O'Neil,	Trusio,
Curwood,	Kessler,	Parlante,	Ujobai,
Davis,	Knecht,	Pashley,	Varallo,
Dengler,	Kornick,	Perry, H. H.,	Varnier,
Dennison,	Kovolenko,	Perry, P. E.,	Verona,
Devlin,	Kubitsky,	Petrosky,	Walsh,
Donahue,	Lamb,	Polaski,	Wargo,
Dougherty,	Lee, A. M.,	Polen,	Welsh,
Eilberg,	Lee, K. B.,	Prendergast,	Wheeler,
Eshback,	Leonard,	Price,	Whittaker,
Farabaugh,	Limper,	Reidman,	Williams, A. D., Jr.,
Fetterolf,	Lopresti,	Reidenbach,	Williams, E. S.,
Filo,	Luigard,	Renwick,	Willaredt,
Fineman,	Lutty,	Rigby,	Wynd,
Floyd,	McCann,	Riley,	Yatron,
Flynn,	McCormack,	Rovansek,	Yetter,
Foerster,	Royer,	Rudisill,	Zimmerman,
Fox,	McInroy,	Sakulsky,	Andrews,
Frank,	McKeever,		Speaker
Frascella,	McLaughlin,		

## NAYS—42

Agnew,	Gibb,	Korns,	Odorisio,
Ashton,	Gramlich,	Light,	Ogilvie,
Auker,	Helm,	Lippincott,	Pursley,
Barton,	Hocker,	McCandless,	Strausser,
Bowman,	Holliday,	Magee,	Tompkins,
Brown,	Horst,	Merry,	Wall,
Donaldson,	Isaacs,	Miller, B. Z.,	Weidner,
Down,	Johnson, A. W.,	Miller, H. G.,	Wilt,
Edwards,	Kelser,	Murray, H. P.,	Wood,
Ewing,	Kernaghan,	O'Dell,	Worley,
Fulmer,	Kooker,		

## NOT VOTING—13

Boris,	Heavey,	Mullen,	Thompson,
Cooper,	Hefner,	Murray, P. G.,	Wescott,
Dennis,	Moran,	Sullivan,	Willard,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1853, Printer's No. 1115, was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1883, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Galley,	McCormack,	Royer,
Anderson,	Gallagher,	McDonald,	Rudisill,
Arlene,	Garlock,	McInroy,	Sakulsky,
Ashton,	Gelfand,	McKeever,	Scarcelli,
Auker,	George,	McLaughlin,	Schaaf,
Balthaser,	Gibb,	Machmer,	Schuster,
Barton,	Goldstein,	Magee,	Schwartz,
Bell,	Goodrich,	Mahan,	Seltzer,
Blair,	Gramlich,	Markley,	Sherman,
Boles,	Guthrie,	Maxwell,	Shupnik,
Bonner,	Hamilton,	Meholchick,	Silverman,
Bower,	Helm,	Merry,	Snare,
Bowman,	Henzel,	Mihm,	Snider,
Branca,	Hocker,	Miller, B. Z.,	Stank,
Brenninger,	Holliday,	Miller, H. G.,	Steckel,
Breth,	Holt,	Mills,	Stevens,
Brown,	Horst,	Monroe,	Stewart,
Buchanan,	Irvis,	Muldowney,	Stimmel,
Burns,	Isaacs,	Munley,	Stone,
Capano,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Jim,	Murphy, P. J.,	Strausser,
Cianfrani,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Cioffi,	Johnson, R.,	Murray, J. J.,	Taylor,
Clarke,	Jones, F. R.,	Musto,	Thompson,
Comer,	Jones, T. H. W.,	Naugle,	Tompkins,
Crossin,	Jump,	Needham,	Truslo,
Curwood,	Kamyk,	Nelson,	Ujobal,
Davis,	Kee,	O'Dell,	Varallo,
Dengler,	Keiser,	O'Donnell, J. A.,	Varnier,
Dennison,	Kernaghan,	O'Donnell, J. P.,	Verona,
Devlin,	Kessler,	Odorisio,	Wall,
Donahue,	Knecht,	Ogilvie,	Walsh,
Donaldson,	Kooker,	O'Neil,	Wargo,
Dougherty,	Kornick,	Parlante,	Weldner,
Down,	Korns,	Pashley,	Welsh,
Edwards,	Kovolenko,	Perry, H. H.,	Wheeler,
Elberg,	Kubitsky,	Perry, P. E.,	Whittaker,
Eshback,	Lamb,	Petrosky,	Williams, A. D., Jr.,
Ewing,	Lee, A. M.,	Polaski,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Polen,	Willaredt,
Fetterolf,	Leonard,	Prendergast,	Wilt,
Filo,	Light,	Price,	Wood,
Fineman,	Limper,	Pursley,	Worley,
Floyd,	Lippincott,	Reibman,	Wynd,
Flynn,	Lopresti,	Reidenbach,	Yatron,
Forster,	Luigard,	Renwick,	Yetter,
Fox,	Lutty,	Rigby,	Zimmerman,
Frank,	McCandless,	Riley,	Andrews,
Frascella,	McCann,		Speaker

## NAYS—0

## NOT VOTING—13

Boris,	Eshleman,	Moran,	Wescott,
Cooper,	Heavey,	Mullen,	Willard,
Dennis,	Heffner,	Murray, P. G.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Order, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1885, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), deleting the limitation on indebtedness for the purpose of erecting a townhouse.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Ashton,	Garlock,	McInroy,	Sakulsky,
Auker,	Gelfand,	McKeever,	Scarcelli,
Balthaser,	George,	McLaughlin,	Schaaf,
Barton,	Gibb,	Machmer,	Schuster,
Bell,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Helm,	Merry,	Snare,
Branca,	Henzel,	Mihm,	Snider,
Brenninger,	Hocker,	Miller, B. Z.,	Stank,
Breth,	Holliday,	Miller, H. G.,	Steckel,
Brown,	Holt,	Mills,	Stevens,
Buchanan,	Horst,	Monroe,	Stewart,
Burns,	Irvis,	Muldowney,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Clarke,	Johnson, R.,	Murray, J. J.,	Taylor,
Comer,	Jones, F. R.,	Musto,	Tompkins,
Crossin,	Jones, T. H. W.,	Naugle,	Truslo,
Curwood,	Jump,	Needham,	Ujobal,
Davis,	Kamyk,	Nelson,	Varallo,
Dengler,	Kee,	O'Dell,	Varnier,
Dennison,	Keiser,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Wall,
Donahue,	Kessler,	Odorisio,	Walsh,
Donaldson,	Knecht,	Ogilvie,	Wargo,
Dougherty,	Kooker,	O'Neil,	Weldner,
Down,	Kornick,	Parlante,	Welsh,
Edwards,	Korns,	Pashley,	Wheeler,
Elberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yatron,
Forster,	Lopresti,	Reidenbach,	Yetter,
Fox,	Luigard,	Renwick,	Zimmerman,
Frank,	Lutty,	Rigby,	Andrews,
Frascella,	McCandless,	Riley,	Speaker

## NAYS—0

## NOT VOTING—13

Boris,	Heavey,	Mullen,	Thompson,
Cooper,	Heffner,	Murray, P. G.,	Wescott,
Dennis,	Moran,	Sullivan,	Willard,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REPORTS FROM COMMITTEES

Mr. FINEMAN from the Committee on Judiciary, reported as amended, House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death; \* \* \*.

Mr. COMER from the Committee on Highways, reported as amended, House Bill No. 1702, entitled:

An Act relating to State highways, roads and bridges, and certain use thereof; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto; \* \* \*.



Mr. EILBERG from the Committee on Judiciary, reported as amended, House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," changing the procedures for the handling of patients' funds and repealing inconsistent laws.

Mr. FOERSTER from the Committee on Cities—Counties Second and Second Class A, reported as amended, House Bill No. 2210, entitled:

An act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

Mr. CIOFFI from the Committee on Ways and Means, reported as committed, House Bill No. 1597, entitled:

An Act amending the Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), requiring persons who distribute catalogs and other advertising material and by reason thereof accept orders for merchandise from residents of this Commonwealth to be licensed and file returns.

Mr. LAMB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 2211, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate; authorizing registration of previous conveyances.

### BILL RE-REFERRED

Mr. WALSH from the Committee on Cities—Counties Second and Second Class A, returned with the recommendation that it be re-referred to the Committee on Cities—First Class, House Bill No. 509, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or assessment and collection of, certain additional taxes for general revenue purposes; \* \* \*" eliminating State license fee provisions and making changes to conform to existing law.

The SPEAKER. The bill is re-referred to the Committee on Cities First Class.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1597, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), requiring persons who distribute catalogs and other advertising material and by reason thereof accept orders for merchandise from residents of this Commonwealth to be licensed and file returns.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2211, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate; authorizing registration of previous conveyances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I request that the House recess for one-half hour for lunch, and that we come back and work from that time until 7:00 o'clock tonight.

We will continue to work this afternoon, so please come back at the scheduled time. The cafeteria is empty to take care of our House Members.

### RECESS

The SPEAKER. Without objection, the Chair declares a recess of thirty minutes.

The Chair hears none and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1892, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers \* \* \*" giving the court jurisdiction in the trial of indictments for arson and burglary.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—197

Agnew,	Galley,	McCormack,	Rovansek,
Anderson,	Gallagher,	McDonald,	Royer,
Arlene,	Garlock,	McInroy,	Rudisill,
Ashton,	Gelfand,	McKeever,	Sakulsky,
Auker,	George,	McLaughlin,	Scarcelli,
Balthaser,	Gibb,	Machmer,	Schaaf,
Barton,	Goldstein,	Magee,	Schuster,
Bell,	Goodrich,	Mahan,	Schwartz,
Blair,	Gramlich,	Markley,	Seltzer,
Boles,	Guthrie,	Maxwell,	Sherman,
Bonner,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Heim,	Mihm,	Snare,
Branca,	Henzel,	Miller, B. Z.,	Snider,
Brenninger,	Hocker,	Miller, H. G.,	Stank,
Breth,	Holliday,	Mills,	Steckel,
Brown,	Holt,	Monroe,	Stevens,
Buchanan,	Horst,	Muldowney,	Stewart,
Burns,	Irviss,	Mullen,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, A. W.,	Murray, H. P.	Stroup,
Clarke,	Johnson, R.,	Murray, J. J.,	Taylor,
Comer,	Jones, F. R.,	Musto,	Tompkins,
Crossin,	Jones, T. H. W.,	Naugle,	Trusio,

Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lulgard, Lutty, McCandless, McCann,	Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorizio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker	Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorizio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—11

NAYS—0

NOT VOTING—11

Boris, Cooper, Dennis,	Eshleman, Heavey, Moran,	Murray, P. G., Sullivan, Thompson,	Wescott, Willard,
Boris, Cooper, Dennis,	Eshleman, Heavey, Moran,	Murray, P. G., Sullivan, Thompson,	Wescott, Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1895, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) authorizing the bringing of informations for violations of the summary provisions of this act occurring on a highway dividing two cities boroughs incorporated towns or townships before the nearest available magistrate in either one of said cities boroughs incorporated towns or townships.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boies, Bonner, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R.,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1900, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act" approved October 27, 1955 (P. L. 744) prohibiting discrimination in employment because of membership in the National Guard or a reserve component of the armed services of the United States in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boies, Bonner, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal,
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Davis,	Kamyk,	Nelson,	Varallo,
Dengler,	Kee,	O'Dell,	Varner,
Dennison,	Keiser,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.	Wall,
Donahue,	Kessler,	Odorisio,	Walsh,
Donaldson,	Knecht,	Ogilvie,	Wargo,
Dougherty,	Kooker,	O'Neill,	Weidner,
Down,	Kornick,	Parlante,	Welsh,
Edwards,	Korns,	Pashley,	Wheeler,
Ellberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A.D., Jr.,
Ewing,	Lamb,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Reibman,	Worley,
Floyd,	Limper,	Reidenbach,	Wynd,
Flynn,	Lippincott,	Price,	Yatron,
Foerster,	Lopresti,	Pursley,	Yetter,
Fox,	Luigard,	Renwick,	Zimmerman,
Frank,	Lutty,	Rigby,	Andrews,
Frascella,	McCandless,	Riley,	Speaker
Fulmer,	McCann,		

## NAYS—0

## NOT VOTING—11

Boris,	Eshleman,	Murray, P. G.,	Wescott,
Cooper,	Heavey,	Sullivan,	Willard,
Dennis,	Moran,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1913, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) permitting unnaturalized foreign-born residents to possess or control dogs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Agnew,	Galley,	McCormack,	Rovanssek,
Anderson,	Gallagher,	McDonald,	Royer,
Arlene,	Garlock,	McInroy,	Rudisill,
Ashton,	Gelfand,	McKeever,	Sakulsky,
Auker,	George,	McLaughlin,	Scarcell,
Balthaser,	Gibb,	Machmer,	Schaaf,
Barton,	Goldstein,	Magee,	Schuster,
Bell,	Goodrich,	Mahan,	Schwartz,
Blair,	Gramlich,	Markley,	Seltzer,
Boles,	Guthrie,	Maxwell,	Sherman,
Bonner,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snare,
Branca,	Henzel,	Miller, B. Z.,	Snider,
Brenninger,	Hocker,	Miller, H. G.,	Stank,
Breth,	Holliday,	Mills,	Steckel,
Brown,	Holt,	Monroe,	Stevens,
Buchanan,	Horst,	Muldowney,	Stewart,
Burns,	Irviss,	Mullen,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, A. W.,	Murray, H. P.,	Stroup,
Clarke,	Johnson, R.,	Murray, J. J.,	Taylor,
Comer,	Jones, F. R.,	Musto,	Tompkins,
Crossin,	Jones, T. H. W.,	Naugle,	Trusio,
Curwood,	Jump,	Needham,	Ujobai,
Davis,	Kamyk,	Nelson,	Varallo,
Dengler,	Kee,	O'Dell,	Varner,
Dennison,	Keiser,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.	Wall,
Donahue,	Kessler,	Odorisio,	Walsh,

Donaldson,	Knecht,	Ogilvie,	Wargo,
Dougherty,	Kooker,	O'Neill,	Weidner,
Down,	Korns,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wheeler,
Ellberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A.D., Jr.,
Ewing,	Lamb,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yatron,
Foerster,	Lopresti,	Reidenbach,	Yetter,
Fox,	Luigard,	Renwick,	Zimmerman,
Frank,	Lutty,	Rigby,	Andrews,
Frascella,	McCandless,	Riley,	Speaker
Fulmer,	McCann,		

## NAYS—0

## NOT VOTING—11

Boris,	Eshleman,	Murray, P. G.,	Wescott,
Cooper,	Heavey,	Sullivan,	Willard,
Dennis,	Moran,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1914, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) creating permits for the importing possessing propagating or selling of nutria and providing for certain fees and penalties in connection therewith.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Agnew,	Galley,	McCormack,	Rovanssek,
Anderson,	Gallagher,	McDonald,	Royer,
Arlene,	Garlock,	McInroy,	Rudisill,
Ashton,	Gelfand,	McKeever,	Sakulsky,
Auker,	George,	McLaughlin,	Scarcell,
Balthaser,	Gibb,	Machmer,	Schaaf,
Barton,	Goldstein,	Magee,	Schuster,
Bell,	Goodrich,	Mahan,	Schwartz,
Blair,	Gramlich,	Markley,	Seltzer,
Boles,	Guthrie,	Maxwell,	Sherman,
Bonner,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snare,
Branca,	Henzel,	Miller, B. Z.,	Snider,
Brenninger,	Hocker,	Miller, H. G.,	Stank,
Breth,	Holliday,	Mills,	Steckel,
Brown,	Holt,	Monroe,	Stevens,
Buchanan,	Horst,	Muldowney,	Stewart,
Burns,	Irviss,	Mullen,	Stimmel,
Capano,	Isaacs,	Munley,	Stone,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Jim,	Murphy, P. J.,	Strausser,
Cioffi,	Johnson, A. W.,	Murray, H. P.	Stroup,
Clarke,	Johnson, R.,	Murray, J. J.,	Taylor,
Comer,	Jones, F. R.,	Musto,	Tompkins,
Crossin,	Jones, T. H. W.,	Naugle,	Trusio,
Curwood,	Jump,	Needham,	Ujobai,
Davis,	Kamyk,	Nelson,	Varallo,
Dengler,	Kee,	O'Dell,	Varner,
Dennison,	Keiser,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Wall,
Donahue,	Kessler,	Odorisio,	Walsh,
Donaldson,	Knecht,	Ogilvie,	Wargo,
Dougherty,	Kooker,	O'Neill,	Weidner,
Down,	Kornick,	Parlante,	Welsh,

Edwards, Elberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0  
NOT VOTING—11

Boris, Cooper, Dennis,	Eshleman, Heavy, Moran,	Murray, P. G., Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1919, entitled:

An Act enabling the department of procurement of cities of the first class to establish by resolution upon which it will award contracts for city printing.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

Agnew, Anderson, Arlene, Auker, Balthaser, Bell, Blair, Botes, Bonner, Bower, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennison, Devlin, Donahue, Dougherty, Edwards, Elberg, Eshback, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Galley, Gallagher, Garlock, Gelfand, George, Goodrich, Guthrie, Hamilton, Heffner, Helm, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kernaghan, Kessler, Knecht, Kornick, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald,	McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Maxwell, Meholchick, Merry, Mihm, Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Riley, Rovanseck, Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Stewart, Stone, Stoner, Strausser, Taylor, Trusio, Ujobai, Varallo, Varnier, Verona, Walsh, Wargo, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Wilt, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—37

Ashton, Barton, Boris, Bowman, Brenninger, Brown, Davis, Donaldson, Down, Fetterolf,	Gibb, Goldstein, Gramlich, Henzel, Hocker, Johnson, R., Kelser, Kooker, Korns,	Lee, A. M., Lippincott, Markley, Miller, B. Z., Miller, H. G., Naugle, O'Dell, Ogilvie, Steckel,	Stevens, Stimmel, Stroup, Tompkins, Wall, Weidner, Willaredt, Wood, Wynd,
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NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavy, Moran, Murray, P. G.,	Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1940, Printer's No. 1057, was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1942, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the renewal of provisional college certificates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Botes, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down,	Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante,	Rovanseck, Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wheeler,
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Edwards, Ellberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavy, Moran, Murray, P. G.,	Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1953, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing that the auditors' report shall be filed by the auditors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—198

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Ewing,	Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Maxwell, Markley, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strouss, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt,
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Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavy, Mullen,	Murray, P. G., Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1954, entitled:

An Act lapsing certain unencumbered balances of appropriations made from the Motor License Fund to the Department of Highways in the act of September 3, 1945 (Appropriation Act No. 18-A).

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—198

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo,	Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Isaacs, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strouss, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley,
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Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Light, Limper, Lippincott, Lopresti, Lugard, Lutty, McCandless,	Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Wynd, Yetter, Yatron, Andrews, Zimmerman, Speaker
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NAYS—0

NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavey, Moran, Murray, P. G.,	Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection  
House Bill No. 1955, Printer's No. 1059,  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1979, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) requiring county election boards to submit additional reports with respect to registered electors.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Boies, Bonner, Boris, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Clanfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Farabaugh, Fetterolf, Filo, Fineman,	Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holt, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kaiser, Kernaghan, Kessler, Knecht, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light,	McDonald, McInroy, McKeever, McLaughlin, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast,	Royer, Rudisill, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steeckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wheeler, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker
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Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Galley,	Limper, Lippincott, Lopresti, Lugard, Lutty, McCandless, McCann, McCormack,	Price, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—13

Ashton, Auker, Bower, Davis,	Ewing, Holliday, Isaacs,	Kooker, Merry, O'Dell,	Pursley, Tompkins, Whittaker,
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NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavey, Moran, Murray, P. G.,	Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1981, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Anderson, Arlene, Auker, Balthaser, Bell, Blair, Boies, Bonner, Boris, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Clanfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Galley, Gallagher, Garlock, Gelfand, George, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Holliday, Holt, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kernaghan, Kessler, Knecht, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Lugard, Lutty,	McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Markley, Maxwell, Meholchick, Mihm, Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steeckel, Stimmel, Stone, Strausser, Stroup, Taylor, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—33

Agnew, Ashton, Barton, Bower, Bowman, Brown, Davis, Down, Ewing,	Gibb, Hocker, Horst, Kee, Keiser, Kooker, Light, McCandless,	McInroy, Magee, Mahan, Merry, Miller, B. Z., Murray, H. P., O'Dell, Oglivie,	Price, Pursley, Stevens, Stewart, Stoner, Tompkins, Weidner, Wood,
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## NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavey, Moran, Murray, P. G.,	Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mrs. REIBMAN asked and obtained permission for the Committee on Education to meet during the session of the House.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1999, entitled:

An Act amending "The Game Law approved June 3, 1937 (P. L. 1225) further providing for the trapping of beaver.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson,	Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglivie, O'Neil,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner,
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Dougherty, Down, Edwards, Ellberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—1

O'Dell,

## NOT VOTING—10

Cooper, Dennis, Eshleman,	Heavey, Moran, Murray, P. G.,	Sullivan, Thompson,	Wescott, Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2002, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) changing the name of township supervisors to commissioners and further providing for their compensation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—116

Agnew, Anderson, Arlene, Balthaser, Boles, Bonner, Branca, Breth, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennis, Dennison, Devlin, Donaldson, Dougherty, Down, Ellberg, Ewing, Farabaugh, Filo, Fineman, Floyd,	Flynn, Foerster, Fox, Garlock, Gelfand, Gibb, Goldstein, Heavey, Holt, Irvis, Jenkins, Jim, Jones, F. R., Jump, Kamyk, Kornick, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Limper, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, McKeever,	McLaughlin, Machmer, Mahan, Maxwell, Meholchick, Mihm, Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, J. J., Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Reibman,	Reidenbach, Rigby, Riley, Rovansek, Rudisill, Sakulsky, Schaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snider, Stank, Stevens, Taylor, Trusio, Varallo, Varner, Verona, Walsh, Wargo, Welsh, Wheeler, Wilt, Yatron, Yetter, Andrews, Speaker
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NAYS—83

Ashton,	Goodrich,	Lee, A. M.,	Snare,
Auker,	Gramlich,	Light,	Steckel,
Barton,	Guthrie,	Lippincott,	Stewart,
Bell,	Hamilton,	McCandless,	Stimmel,
Blair,	Heffner,	McInroy,	Stone,
Boris,	Helm,	Magee,	Stoner,
Bower,	Henzel,	Markley,	Stroup,
Bowman,	Hocker,	Merry,	Tompkins,
Brenninger,	Holliday,	Miller, B. Z.,	Ujobai,
Brown,	Horst,	Murphy, P. J.,	Wall,
Buchanan,	Isaacs,	Murray, H. P.,	Weldner,
Dengler,	Johnson, A. W.,	Murray, P. G.,	Wescott,
Donahue,	Johnson, R.,	Naugle,	Whittaker,
Edwards,	Jones, T. H. W.,	O'Dell,	Williams, A. D., Jr.,
Eshback,	Kee,	Odorisio,	Williams, E. S.,
Eshleman,	Kelser,	Ogilvie,	Willaredt,
Fetterolf,	Kernaghan,	Price,	Wood,
Frank,	Kessler,	Pursley,	Worley,
Fulmer,	Knecht,	Renwick,	Wynd,
Galley,	Kooker,	Royer,	Zimmerman,
Gallagher,	Korns,	Seltzer,	

NOT VOTING—9

Cooper,	Moran,	Strausser,	Thompson,
Frascella,	Scarcelli,	Sullivan,	Willard,
George,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 2003, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to grant right of way over State park lands.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boies,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irviss,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Cloffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobai,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.	Wargo,

Donaldson,	Kessler,	Odorisio,	Weldner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

NAYS—0

NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 2006, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) permitting retail licensees to furnish free cheese.

On the question,  
Will the House agree to the bill on third reading?

Messrs AGNEW and CURWOOD asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, last line of Title, by inserting after "cheese" "and bologna."

Amend Sec. 1 (Sec. 493), page 3, line 2, by striking out "one" and inserting "two."

Amend Sec. 1 (Sec. 493), page 3, line 2, by inserting after "cheese" "and bologna."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?

Mrs. VARALLO. Mr. Speaker, for many years in the state of Pennsylvania free cheese was an accepted tradition in many of our restaurants. Suddenly the proprietors were informed that this could no longer be done, but that the potato chips and the pretzels were acceptable, and the free cheese disappeared and was missed. I introduced this piece of legislation to correct the situation and restore free cheese along with the pretzels and the potato chips.

Will the gentleman from Allegheny County, Mr. Agnew, defer introducing the amendment so that this bill can be passed in its present form? If so, and if he introduces a bologna bill, I will be very happy to vote for his bill.

I am asking the Members of this House to vote "No" on the amendment.

Mr. AGNEW. Mr. Speaker, I offered a very serious amendment to a very serious bill. I would like the opportunity to explain these amendments for the benefit of the membership of this House.



I do first, though, want to clear up one matter. It would appear somewhat presumptuous for me to be using the Floor Leader's microphone for the purpose of offering these amendments inasmuch as I am not part of my party's leadership. I am here for the purpose of referring to notes and some reading material and I would like to point out that the Floor Leaders' mikes on either side of the aisle are the only suitable places for a Member to speak when he uses readin material or notes that he must refer to. I am not here for the purpose suggested by many Members of this House, that a Floor Leader's microphone is the only proper place for a discussion of this subject.

I understand that the vegetarians in this House are opposed to these amendments. I can understand that. I respect any man's principles. We all have our principles and we are all forced to take a stand on some of these pieces of legislation which perhaps even a majority of our constituents do not believe in. I understand also that some Members of this House might be opposed to these amendments because of a misunderstanding of the true definition of the word "bologna."

It is my purpose here to acquaint the membership with all the forms of meat, cold cuts, and so on, that the word "bologna" which is a very general word includes. My authority for the definition which I am about to read is a composite of Webster's Dictionary and the Encyclopoedia Britannica.

Listen very carefully. Bologna is a variety of sausage containing a mixture of meats such as beef, pork and veal which is finely ground with spices added, all of which is stuffed into a casing, either natural or artificial, which is then smoked and/or cooked.

It is also part of my understanding that some of those who are not vegetarians might be opposed to the introduction of these amendments because of their understanding of a rather narrow interpretation of the word "bologna" that does not include certain types of bologna which are more particularly associated with the various nationality groups. I understand that some Members of the House who are of certain ancestry or whose constituencies contain a number of citizens, taxpayers and voters of certain ancestry, will be interested in the list of meats that a definition of bologna includes.

For that purpose I would like to read just some of these. All of these that I am about to read are properly defined in the term "bologna." Bologna includes all types of salamis, including Kosher bologna which is a salami. That ought to take care of some of the votes in this House.

I should like to point out for the benefit of some other votes in this House that in addition to all types of salami, this also includes, of course, pepperoni.

It gives me particular pleasure to notify the Members of this House that the definition of bologna includes Kebashi; for those of Scotch or English ancestry or background, or whose constituencies are substantially such, Scotch Black Pudding and Oxford are also included in the definition of bologna.

For a group of Pennsylvanians, known perhaps better to the rest of the country than to Pennsylvanians, the Pennsylvania Dutch, the term "bologna" includes Blochwurst, Liverwurst, Knockwurst, and Blutwurst, and I thank the members of the Lehigh County delegation for helping me pronounce Blutwurst.

Also, there are several forms of bologna which are named for various foreign cities or countries, some in Europe, some in other places of the world. For instance there is Vienna bologna, Genoa bologna, and a bologna that is named for a far-Eastern country, an overwhelming majority of the populace of which is either Mohammedan or Arabic, called Lebanon.

There is also a bologna known to many of you called Bludin Blanc or Bludin Noir. Now, Bludin Blanc is light Bludin and Bludin Noir is dark Bludin. I do not know what Bludin is—yes, I do, it is blood sausage. All kinds of blood sausages are included in the definition as Florence Bologna, all types of frankfurters, hot dogs to some of us, and many more than are too numerous to mention.

We have had a little fun with these amendments, but Mr. Speaker, I am serious about them. I would like to inform the membership that these amendments and the attempt to pass this bill in the first instance goes back to the repeal of prohibition. I am too young to remember this, but I understand that in the old days before prohibition, one could get a substantial free lunch with a 16-ounce glass of nickle beer.

When prohibition was repealed and our liquor code was adopted it was felt that for a variety of reasons this was not a matter of good public policy, so the liquor code states the gist of which is as follows: No liquor licensee shall offer any free food as an inducement for the purchase of distilled or malt beverages, except such as the Liquor Control Board may from time to time exempt. Since our liquor control code, the Board has been called upon or felt free to permit restaurant liquor licensees, owners of bars, taverns, cafes and restaurants to offer free to patrons, pretzels, potato chips and popcorn. This bill is a legislative attempt to add cheese, these amendments are a legislative attempt to add bologna.

Too often in this House we tell the people of Pennsylvania you shall not do this; you shall not do that. I believe in the principle that we ought not to have restaurant liquor licensees engage en masse in frenetic competition, offering more and more free food as an inducement for their patrons to frequent their establishments, but I think as long as we exempt crackers and bread, so that we do not get into sandwiches and stay away from the free lunch we are all right. I believe that anything in the nature of a snack ought to be permitted to be offered free by the restaurant liquor licensee to his patrons. I believe this is an opportunity to say to the people of Pennsylvania, when you go into the neighborhood bar, or you take your wife out for the evening, if that proprietor so desires, he can offer you free as a snack with your beer or whiskey not only pretzels, potato chips and popcorn, but also cheese and for the non-vegetarians, or meat-eaters, almost any form of meat as a snack which would be included in the definition of bologna.

I believe this would be a worthwhile thing to Pennsylvania and to the working man who frequents the local neighborhood bar for the purpose of society, entertainment, friendship and neighborly companionship. I believe it is not carrying the principle too far. I believe if cheese is proper, and I think it is, then bologna is proper, too.

I ask the Members of this House on both sides of the aisle to vote for these bologna amendments, for after all a Polish Democrat does not like his Kebashi any better than



a Polish Republican, and a Republican Pennsylvania Dutchman does not like his liverwurst any better than a Pennsylvania Dutch Democrat. These amendments are truly bipartisan and they are for all the people of Pennsylvania, and Mr. Speaker, those of us who sponsored these amendments are willing to take a voice vote.

Mr. CAPITOLO. I would like to interrogate the distinguished gentleman from Allegheny County, Mr. Agnew.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. AGNEW. I am afraid I have no alternative, Mr. Speaker.

Mr. CAPITOLO. Mr. Speaker, I have heard a lot about bologna but I have not heard anything about suprasate and capicola. We have bologna. Of course, this all starts with bologna, but you have really educated me today. We have bologna among the Abbruzzes and Sicilians called suprasate. Now suprasate is really sausage. You put pork meat with beef and you dry it up. Then we have a capicola. I was surprised you missed that because after all there are a lot of votes in south Philadelphia. So I think we ought to amend the bill to put capicola in the bill.

Mr. AGNEW. Mr. Speaker, I would be very happy to inform the gentleman it is absolutely included. Listen to the definition of bologna: Bologna is a variety of sausage containing a mixture of meats such as beef, pork, and veal, et cetera.

I think there is no question about it. The meats or the bologna you mentioned are clearly included in these amendments, and I hope I can count on the gentleman's vote.

Mr. SCHWARTZ. I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. AGNEW. I shall, Mr. Speaker.

Mr. SCHWARTZ. Mr. Speaker, I wonder whether the authority on bologna of the House of Representatives can tell me whether a product which is called Colbasa is included in the definition of bologna?

Mr. AGNEW. I am not familiar with the product but perhaps I could yield to a Member of the House who is.

Mr. SCHWARTZ. Well, that is something similar to Kupagool.

Mr. AGNEW. Mr. Speaker, I think the majority of the Members are convinced I did a little research on this but I must frankly admit that I am not an expert.

Mr. SCHWARTZ. Well, this is a very hard product. It is extremely dangerous when eaten. It is something that I think might get some consideration by Dr. Maxwell and Dr. Boies because it has a deleterious effect on dentures, being very hard in substance.

I would like to inquire of the gentleman whether Colbasa is included in that definition that he has.

Mr. AGNEW. Well, if it is not included, Mr. Speaker, I would like to inform the gentleman that any liquor licensed man who offers that to his patrons would do so at his own peril.

Mr. SCHWARTZ. I thank the gentleman.

Mr. Speaker, in all seriousness, I do not think the lady from Philadelphia should have her bill include bologna. I think she is serious in her intent in introducing this bill.

I think we would be going very far afield to use bologna along with cheese, aside from the fact that we have vegetarians and meat handlers and so forth, because I can foresee that if bologna were included, that we would be right back to the free lunch. There are plenty of people who do not need bread or crackers to make a free lunch, and we can get into a field of knockwurst and bologna where, no matter how thick or how thin you slice it, you wind up with a free lunch.

I think we ought to defeat these amendments and give the lady her cheese bill.

Mr. FRANK. If they are going to put in amendments on bologna, I am going to have amendments made for herring.

Mr. McCORMACK. Mr. Speaker, I am certainly glad to see and to have recognized officially the fact that the experts on "baloney" are on the Republican side of the House.

I do not know whether you can find this in any particular dictionary or not, but being a Member of the Legislature for four terms, it seems to me that the popular definition, as far as I am concerned, of "baloney" is a gust of hot air frequently emanating in this Chamber of the House.

I want to say, against the amendment, Mr. Speaker, that I think it is redundant; it is superfluous and it is totally unnecessary because the bill as introduced by the lady from Philadelphia, Mrs. Varallo, in its present form is certainly full of bologna.

Mr. WALSH. I would like to interrogate the gentleman from Allegheny, Mr. Agnew.

The SPEAKER. Will the gentleman from Allegheny, Mr. Agnew, permit himself to be interrogated?

Mr. AGNEW. I will.

Mr. WALSH. Mr. Speaker, I would like to know for the benefit of people here who do not like bologna or cheese, could we have egg in our beer?

Mr. AGNEW. I would just like to say that if it is true, as the gentleman from Philadelphia, Mr. McCormack, says, that I am an expert on bologna, then I say that he is the expert on hot air.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2008, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing third class cities to create historic districts within their geographic limits \* \* \*

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvls,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Munley,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorlsio,	Weldner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yatron,
Flynn,	Lippincott,	Reidenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Zimmerman,
Fox,	Lulgard,	Rigby,	Andrews,
Frank,	Lutty,		Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2009, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) further providing for the regulation of parking lots.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,

Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Horst,	Muldowney,	Stimmel,
Capano,	Irvls,	Mullen,	Stone,
Capitolo,	Cianfrani,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Isaacs,	Munley,	Strausser,
Clarke,	Jenkins,	Murphy, P. J.,	Stroup,
Comer,	Jim,	Murray, H. P.,	Taylor,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kessler,	Odorlsio,	Weldner,
Down,	Knecht,	Ogilvie,	Welsh,
Edwards,	Kooker,	O'Neil,	Wescott,
Ellberg,	Kornick,	Parlante,	Wheeler,
Eshback,	Korns,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willaredt,
Fetterolf,	Lee, A. M.,	Polaski,	Wilt,
Filo,	Lee, K. B.,	Polen,	Wood,
Fineman,	Leonard,	Prendergast,	Worley,
Floyd,	Light,	Pursley,	Wynd,
Flynn,	Limper,	Reibman,	Yatron,
Foerster,	Lippincott,	Reidenbach,	Yetter,
Fox,	Lopresti,	Renwick,	Zimmerman,
Frank,	Lulgard,	Rigby,	Andrews,
	Lutty,		Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2011, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364) further regulating the issuance of certificates of authority to foreign business corporations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,

Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Fineman, Filo, Floyd, Flynn, Foerster, Fox, Frank,	Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty,	McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Whittaker, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker	Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Fineman, Filo, Floyd, Flynn, Foerster, Fox, Frank,	Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty,	Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—5

Cooper, Moran,	Sullivan,	Thompson,	Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partnerships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George,	McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster,
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NAYS—1

NOT VOTING—5

Cooper, Moran,	Sullivan,	Thompson,	Willard,
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Murphy, A. J., Jr.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 of the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George,	McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin,	Riley, Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf,
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Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvls,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	Lulgard,	Rigby,	
			Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2026, entitled:

An Act relative to Commonwealth printing establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—162

Agnew,	Fulmer,	McLaughlin,	Royer,
Anderson,	Galley,	Machmer,	Rudisill,
Arlene,	Gallagher,	Mahan,	Sakulsky,
Auker,	Garlock,	Markley,	Scarcelll,
Balthaser,	Gelfand,	Maxwell,	Schaaf,
Bell,	George,	Meholchick,	Schuster,
Blair,	Guthrie,	Mihm,	Schwartz,
Boles,	Hamilton,	Miller, H. G.,	Seltzer,
Bonner,	Heavey,	Mills,	Sherman,
Boris,	Heffner,	Monroe,	Shupnik,

Bower,	Helm,	Muldowney,	Silverman,
Branca,	Holt,	Mullen,	Snare,
Breth,	Horst,	Munley,	Snider,
Buchanan,	Irvls,	Murphy, A. J., Jr.,	Stank,
Burns,	Isaacs,	Murphy, P. J.,	Stevens,
Capano,	Jenkins,	Murray, H. P.,	Stewart,
Capitolo,	Jim,	Murray, J. J.,	Stone,
Cianfrani,	Johnson, A. W.,	Murray, P. G.,	Stoner,
Cioffi,	Jones, F. R.,	Musto,	Strausser,
Clarke,	Jump,	Naugle,	Taylor,
Comer,	Kamyk,	Needham,	Trusio,
Crossin,	Kee,	Nelson,	Ujobal,
Curwood,	Kernaghan,	O'Donnell, J. A.,	Varallo,
Dengler,	Kessler,	O'Donnell, J. P.,	Varner,
Dennis,	Knecht,	Odorisio,	Verona,
Dennison,	Kornick,	O'Neill,	Wall,
Devlin,	Korns,	Parlante,	Walsh,
Donahue,	Kovolenko,	Pashley,	Wargo,
Dougherty,	Kubitsky,	Perry, H. H.,	Welsh,
Edwards,	Lamb,	Perry, P. E.,	Wescott,
Ellberg,	Lee, A. M.,	Petrosky,	Wheeler,
Eshback,	Lee, K. B.,	Polaski,	Williams, A. D., Jr.,
Eshleman,	Leonard,	Polen,	Williams, E. S.,
Farabaugh,	Limper,	Prendergast,	Worley,
Filo,	Lopresti,	Price,	Wynd,
Fineman,	Luigard,	Reibman,	Yatron,
Floyd,	Lutty,	Reidenbach,	Yetter,
Flynn,	McCann,	Renwick,	Zimmerman,
Foerster,	McCormack,	Rigby,	Andrews,
Frank,	McDonald,	Riley,	
Frascella,	McKeever,	Rovanseck,	Speaker

## NAYS—41

Ashton,	Gibb,	Kooker,	Pursley,
Barton,	Goldstein,	Light,	Steckel,
Bowman,	Goodrich,	Lippincott,	Stimmel,
Brenninger,	Gramlich,	McCandless,	Stroup,
Brown,	Henzel,	McInroy,	Tompkins,
Davis,	Hocker,	Magee,	Weldner,
Donaldson,	Holliday,	Merry,	Whittaker,
Down,	Johnson, R.,	Miller, B. Z.,	Willaredt,
Ewing,	Jones, T. H. W.,	O'Dell,	Wilt,
Fetterolf,	Kelser,	Ogilvie,	Wood,
Fox,			

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

## BILL PASSED OVER

There being no objection

House Bill No. 2070, Printer's No. 1062, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2079, entitled:

An Act repealing the act of June 27, 1939 (P. L. 1184) entitled "An act requiring all employable persons receiving public assistance with certain exceptions to perform certain work or be refused further assistance \* \* \*"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, I request a slow roll call and that only those responding to their names be recorded. There may be a request for a verification of the roll.

Mr. McCANN. Just so there would be no misunderstanding, there are 106 Democrats here in their seats. There are 106 "aye" votes on this side. For verification purposes, certainly that I don't want any delay in time, we intend to work; yet I want everything official in every manner.

Mr. Speaker, we certainly have no objection to a slow roll call. Our people are here and I know that the Members have been informed very carefully. The two absentees are Mr. Moran and Mr. Sullivan, one in the hospital and one at home with his leg off.

#### PARLIAMENTARY INQUIRY

Mr. FINEMAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Is it not a fact that when a Member is in the House by the time the last name on the roll is called, notwithstanding that he enters after his name has been called, he is regarded as being within the Hall of the House at the roll call?

The SPEAKER pro tempore. Any person who is in the Hall of the House during the calling of the roll is entitled to vote.

Mr. FINEMAN. Therefore Mr. McCormack would be entitled to vote.

The SPEAKER pro tempore. The gentleman is entitled to vote. How does the gentleman from Philadelphia, Mr. McCormack, vote?

Mr. McCORMACK. Aye, Mr Speaker.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—107

Anderson,	Frascella,	Mahan,	Renwick,
Arlene,	Galley,	Maxwell,	Riley,
Balthaser,	Gallagher,	Meholchick,	Rovansek,
Boles,	Garlock,	Mihm,	Rudisill,
Bonner,	Gelfand,	Mills,	Sakulsky,
Branca,	Hamilton,	Monroe,	Scarcell,
Breth,	Heavey,	Muldowney,	Schaaf,
Burns,	Holt,	Mullen,	Schuster,
Capano,	Irviss,	Munley,	Schwartz,
Capitolo,	Jenkins,	Murphy, A. J., Jr.,	Sherman,
Cianfrani,	Jim,	Murray, J. J.,	Shupnik,
Cioffi,	Jones, F. R.,	Musto,	Silverman,
Clarke,	Kamyk,	Needham,	Snider,
Comer,	Kornick,	Nelson,	Stank,
Crossin,	Kovolenko,	O'Donnell, J. A.,	Stone,
Curwood,	Lamb,	O'Donnell, J. P.,	Taylor,
Dennis,	Leonard,	O'Neil,	Trusio,
Devlin,	Limper,	Parlante,	Varallo,
Dougherty,	Lopresti,	Pashley,	Verona,
Ellberg,	Luigard,	Perry, H. H.,	Walsh,
Farabaugh,	Lutty,	Perry, P. E.,	Wargo,
Filo,	McCann,	Petrosky,	Welsh,
Fineman,	McCormack,	Polaski,	Wheeler,
Floyd,	McDonald,	Polen,	Yatron,
Flynn,	McKeever,	Prendergast,	Yetter,
Foerster,	McLaughlin,	Reibman,	Andrews,
Frank,	Machmer,	Reidenbach,	Speaker

#### NAYS—95

Agnew,	Fulmer,	Korns,	Seltzer,
Ashton,	George,	Kubitsky,	Snare,
Auker,	Gibb,	Lee, A. M.,	Steckel,
Barton,	Goldstein,	Lee, K. B.,	Stevens,

Bell,  
Blair,  
Boris,  
Bower,  
Bowman,  
Brenninger,  
Brown,  
Buchanan,  
Davis,  
Dengler,  
Dennison,  
Donahue,  
Donaldson,  
Down,  
Edwards,  
Eshback,  
Eshleman,  
Ewing,  
Fetterolf,  
Fox,

Goodrich,  
Gramlich,  
Guthrie,  
Heffner,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Horst,  
Isaacs,  
Johnson, A. W.,  
Johnson, R.,  
Jones, T. H. W.,  
Jump,  
Kee,  
Kelser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,

Light,  
Lippincott,  
McCandless,  
McInroy,  
Magee,  
Markley,  
Merry,  
Miller, B. Z.,  
Miller, H. G.,  
Murphy, P. J.,  
Murray, H. P.,  
Murray, P. G.,  
Naugle,  
O'Dell,  
Odorisio,  
Ogilvie,  
Price,  
Pursley,  
Rigby,  
Royer,

Stewart,  
Stimmel,  
Stoner,  
Stroup,  
Tompkins,  
Ujobal,  
Varner,  
Wall,  
Weidner,  
Wescott,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Zimmerman,

#### NOT VOTING—6

Cooper,  
Moran,

Strausser,  
Sullivan,

Thompson,

Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 2090, Printer's No. 1118 and

House Bill No. 2092, Printer's No. 1090,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2113, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the appointment of tellers in certain cases and defining their powers and duties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—115

Agnew,	Frascella,	Machmer,	Riley,
Anderson,	Fulmer,	Mahan,	Rovansek,
Arlene,	Galley,	Maxwell,	Sakulsky,
Balthaser,	Gallagher,	Meholchick,	Scarcell,
Boles,	Garlock,	Mihm,	Schaaf,
Bonner,	Gelfand,	Mills,	Schuster,
Branca,	Hamilton,	Monroe,	Schwartz,
Breth,	Heavey,	Muldowney,	Sherman,
Buchanan,	Helm,	Mullen,	Shupnik,
Burns,	Holt,	Munley,	Silverman,
Capano,	Irviss,	Murphy, A. J., Jr.,	Snider,
Capitolo,	Jenkins,	Murray, J. J.,	Stank,
Cianfrani,	Jim,	Musto,	Stevens,
Cioffi,	Jones, F. R.,	Needham,	Stone,
Clarke,	Kamyk,	Nelson,	Taylor,
Comer,	Kornick,	O'Donnell, J. A.,	Trusio,
Crossin,	Kovolenko,	O'Donnell, J. P.,	Varallo,
Curwood,	Lamb,	O'Neil,	Varner,
Dennis,	Lee, K. B.,	Parlante,	Verona,
Devlin,	Leonard,	Pashley,	Walsh,
Dougherty,	Limper,	Perry, H. H.,	Wargo,
Ellberg,	Lopresti,	Perry, P. E.,	Welsh,
Farabaugh,	Luigard,	Petrosky,	Wheeler,
Filo,	Lutty,	Polaski,	Williams, E. S.,
Fineman,	McCann,	Polen,	Worley,
Floyd,	McCormack,	Prendergast,	Yatron,
Flynn,	McDonald,	Reibman,	Yetter,
Foerster,	McKeever,	Reidenbach,	Andrews,
Frank,	McLaughlin,	Renwick,	Speaker



## NAYS—84

Ashton,	George,	Kooker,	Pursley,
Auker,	Gibb,	Korns,	Rigby,
Barton,	Goldstein,	Kubitsky,	Royer,
Bell,	Goodrich,	Lee, A. M.,	Snare,
Boris,	Gramlich,	Light,	Steckel,
Bower,	Guthrie,	Lippincott,	Stewart,
Bowman,	Heffner,	McCandless,	Stimmel,
Brenninger,	Henzel,	McInroy,	Stoner,
Brown,	Hocker,	Magee,	Stroup,
Davis,	Holliday,	Markley,	Tompkins,
Dengler,	Horst,	Merry,	Ujobal,
Dennison,	Isaacs,	Miller, B. Z.,	Wall,
Donahue,	Johnson, A. W.,	Miller, H. G.,	Weldner,
Donaldson,	Johnson, R.,	Murphy, P. J.,	Wescott,
Down,	Jones, T. H. W.,	Murray, H. P.,	Whittaker,
Edwards,	Jump,	Murray, P. G.,	Williams, A. D., Jr.,
Eshback,	Kee,	Naugle,	Willaredt,
Eshleman,	Keiser,	O'Dell,	Wilt,
Ewing,	Kernaghan,	Odoriso,	Wood,
Fetterolf,	Kessler,	Ogilvie,	Wynd,
Fox,	Knecht,	Price,	Zimmerman,

## NOT VOTING—9

Blair,	Rudisill,	Strausser,	Thompson,
Cooper,	Seltzer,	Sullivan,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

## BIPARTISAN COMMITTEE ON CONSTITUTION OF GOVERNMENT IN EMERGENCIES

The SPEAKER pro tempore. The gentleman from Cameron, Mr. Lopresti, desires a meeting of the Bipartisan Committee on Continuation of Government in Emergencies to meet immediately in the conference room to the left of the Chair.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306) entitled "An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties" providing that the constable and collector hereafter elected shall hold his office for a term of two years.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, I was asked to inform the House that House Bill 2121 has not been caucused on by the Republican Members, and that this bill pertains only to one county in the Commonwealth, Cameron.

Mr. TOMPKINS I think can explain that. I therefore think we should roll the bill without their caucusing. Mr. Johnson informed me they did not get a chance to caucus on it.

Mr. TOMPKINS. Mr. Speaker, I appreciate very much the position of the Majority Leader.

The bill is one that applies only to Cameron County, to provide for the election of our tax collectors in the several townships and boroughs on a two-year basis instead of a one-year basis as now exists.

I might state that this is local or special legislation. For the purposes of the record I want to call attention to the

fact that the publication in connection with this bill is attached to the original bill.

Mr. McCANN. That is right, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCann,	Riley,
Anderson,	Fulmer,	McCandless,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvia,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnar,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Keiser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odoriso,	Weldner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reldenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2138, entitled:

An Act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines imposing duties upon lessors and lessees and operations of coal mine in regard thereto and repealing a prior act relating to the recovery of such bodies of workmen enclosed buried or entombed in coal mines.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanse,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcell,
Boles,	George,	McLaughlin,	Schaaf,
Bonner,	Gibb,	Machmer,	Schuster,
Barton,	Goldstein,	Magee,	Schwartz,
Bell,	Goodrich,	Mahan,	Seltzer,
Blair,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavy,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvs,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cloffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobai,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Keiser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odoristo,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Poiaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reldenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

NAYS—0

NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 2140, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) requiring that food which has been frozen and permitted to thaw out be marked to give notice thereof to the purchaser.

On the question,  
Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, third line of Title, by inserting after "that": "certain."

Amend Title, page 1, last line of Title, by inserting after "out": "and then refrozen."

Amend Sec. 1 (Sec. 699.10), page 2, line 1, by inserting after "That": "Certain."

Amend Sec. 1 (Sec. 699.10), page 2, line 1, by striking out "Frozen" and inserting "Refrozen."

Amend Sec. 1 (Sec. 699.10), page 2, lines 2 and 3, by striking out "food of any kind which" and inserting "any meat, sea food, poultry, vegetables or fruit with knowledge that such food."

Amend Sec. 1 (Sec. 699.10), page 2, line 3, by inserting after "out": "and then refrozen."

Amend Sec. 1 (Sec. 699.10), page 2, line 5, by inserting after "purchaser": "The provisions of this section shall not be applicable to any food herein mentioned when freezing, thawing out and refreezing is an essential part of the processing of such food."

They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 2162, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanse,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcell,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavy,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvs,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cloffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobai,



Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2163, entitled:

An Act reenacting and amending Section 7 act of May 3 1933 (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" permitting schools of beauty culture to make certain reasonable charges in clinical work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,

Clarke,	Jim,	Murray, H. P.	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobai,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Eshback,	Korns,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willaredt,
Fetterolf,	Lee, A. M.,	Polaski,	Wilt,
Filo,	Lee, K. B.,	Polen,	Wood,
Fineman,	Leonard,	Prendergast,	Worley,
Floyd,	Light,	Price,	Wynd,
Flynn,	Limper,	Pursley,	Yatron,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Luigard,	Renwick,	Andrews,
	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2201, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) further regulating obscene exhibitions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I merely rise to paraphrase an old poem that runs in my mind to this effect: Has any young man gotten mixed with the ladies? If there has, take him out without making a noise.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,

Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weldner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 2216, Printer's No. 1233, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. POLEN. Mr. Speaker, House Bill No. 2219 is a stop-gap appropriation bill in the amount of \$205.4 million.

For the information of the House, I would like to state that \$123.7 million of that amount is for the school subsidies that fall due in the months of October and November, and it is necessary to pass this legislation in order that proper processing of these appropriations can be

made for the school districts. The remaining \$80 million is for the normal expenses of the Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcell,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Kelser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weldner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lulgard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.



On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.

On the question,  
Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I understand this is a stop-gap appropriation for the Department of Welfare in the sum of \$30.4 million. Is that right?

Mr. POLEN. That is correct.

Mr. TOMPKINS. I wonder if the gentleman from Washington could tell us how much federal money is included in the \$30.4 million?

Mr. POLEN. Mr. Speaker, the \$30.4 million is the amount of state money.

I believe what the gentleman would like to know is how much in federal funds will be received to match this. There will be approximately \$20 million in federal funds.

Mr. TOMPKINS. Approximately \$20 million in federal funds will be the federal matching part to this appropriation?

Mr. POLEN. That is correct.

Mr. TOMPKINS. In other words that gives the Department of Welfare, then, a working fund of \$50 million?

Mr. POLEN. That is correct.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnar,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Keiser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Whelan,
Eilberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,

Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,

Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Light,  
Limper,  
Lippincott,  
Lopresti,  
Luigard,  
Lutty,

Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,  
Renwick,  
Rigby,

Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—5

Cooper,  
Moran,

Sullivan,

Thompson,

Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2237, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) clarifying and revising the provisions relating to obscene literature and objects and increasing the penalties for violating the provisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Capano,	Holt,	Muldowney,	Stimmel,
Capitolo,	Horst,	Mullen,	Stone,
Cianfrani,	Irvis,	Munley,	Stoner,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Clarke,	Jenkins,	Murphy, P. J.,	Stroup,
Comer,	Jim,	Murray, H. P.,	Taylor,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnar,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Keiser,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Dougherty,	Kessler,	Odorisio,	Weidner,
Down,	Knecht,	Ogilvie,	Welsh,
Edwards,	Kooker,	O'Neil,	Wescott,
Eilberg,	Kornick,	Parlante,	Whelan,
Eshback,	Korns,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
	Kubitsky,	Perry, P. E.,	Williams, E. S.,
			Willaredt,
			Wilt,
			Wood,

Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—0

NOT VOTING—5

Cooper, Moran,	Sullivan,	Thompson,	Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 37, Printer's No. 1165

Senate Bill No. 141, Printer's No. 1166

Senate Bill No. 148, Printer's No. 955

Senate Bill No. 171, Printer's No. 1172

Senate Bill No. 172, Printer's No. 1173

Senate Bill No. 173, Printer's No. 187 and

Senate Bill No. 325, Printer's No. 1168

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 345, entitled:

An Act amending the act of July 25, 1913 (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women \* \* \*" making sheriffs responsible for the transportation of women prisoners to the Industrial Home.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Clanfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavy, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. E., Jones, T. H. W., Jump,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Mehoichick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujohal, Varallo,
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Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, McCann, Fulmer,	Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglivle, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Varnier, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—3

NOT VOTING—5

Ashton,	Brown,	Lippincott,
Cooper, Moran,	Sullivan,	Thompson,
		Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 371, Printer's No. 854 and

Senate Bill No. 372, Printer's No. 399

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 387, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Clas Township Code" providing that no person holding the office of justice of the peace shall act as secretary or secretary-treasurer of the board of township supervisors.

On the question,

Will the House agree to the bill on third reading?

Mr. YETTER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Bill, page 2, by inserting after line 16:

"Section 2. This act shall take effect the first Monday of January, 1960."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?



It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 405, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting certain business activities on Sunday.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GELFAND. Mr. Speaker, I would like permission to have my remarks spread on the record.

Basic to the concept of religious liberty is the mandate that no person should be penalized by the state for adherence to his religious beliefs or for refusal to adhere to any religious belief, so long as he does not interfere with the rights of others or endanger the public peace and security. It is my belief that compulsory Sunday observance laws violate this mandate because they compel persons to obey a law, the implications of which are basically religious. Senate Bill 405 is, in my mind, such a bill.

I fully recognize that the Commonwealth, as a health measure, may rightfully compel every person to abstain from gainful employment or occupation on one or more days each week, but it is also my belief that every person must have the right to select for himself the day on which he will refrain from such activity. The public health and welfare do not require in any small measure that the day of abstinence from employment or business shall be uniform for all persons. To compel a person to refrain on a day selected because it is holy to others, even though the others may constitute the great majority, is a serious violation of our constitutional concept of religious freedom and liberty. Senate Bill 405 is not in the great American tradition of freedom of religion and, for this reason, I vigorously oppose it.

The bill is offensive to the concept of religious freedom for even a more telling reason. This bill would apply equally to persons who conscientiously observe another day as their day of rest and, therefore, would create an economic penalty upon those who would not engage in worldly employment on a day other than Sunday. To that extent the bill is not only unconstitutional but it also should offend every man's sense of fair play. For to compel a man who worships on a day other than Sunday to also refrain from employment or business also on Sunday is to penalize him for his religious beliefs.

I call to this Committee's attention the recent decision written by Judge Magruder, of the United States Court of Appeals, in the case of *Crown Kosher Super Market of Massachusetts, Inc., et al. v. Chief of Police of Springfield, Massachusetts*, decided on May 18, 1959, in which the renowned jurist said:

What Massachusetts has done by this statute is to furnish special protection to the dominant Christian sects which celebrate Sunday as the Lord's Day, without furnishing such protection, in their religious observances, to those Christian sects and to . . . Jews who observe Saturday as the sabbath, and to the prejudice of the latter

group. It is clear that by denying to the plaintiffs the liberty to work, shop, or pursue other 'secular' conduct on Sunday, the law puts an economic penalty upon a person observing as his sabbath some other day than Sunday by depriving him of the productive use of one further day of the week . . .

Senate Bill 405 is particularly unfair and inconsistent with the religious freedom guaranteed by both the United States Constitution and the Pennsylvania Constitution when applied to persons whose conscience requires them to observe a day other than Sunday as holy. The religious Sabbatarian suffers when he must refrain from gainful employment or activity at least two days a week. The proposed law, in effect, would penalize him with the undemocratic alternative of either violating his religious conscience or suffering a serious economic handicap which, in many instances, may be insurmountable.

The United States Supreme Court has said "we sponsor an attitude on the part of Government that shows no partiality to any one group, and lets each flourish according to the zeal of its adherents and the appeal of its dogma." (*Zorach vs Clauson*, 343 US 306, 313) I do submit that if the legislation involved here becomes the law of this Commonwealth, then the Commonwealth would not be impartial as between religious groups because, in effect, it would be forcing Sabbatarians to choose between their religious beliefs and economic necessity.

I, therefore, urge that Senate Bill 405 be defeated and that if it is the belief that the health and welfare of the citizenry of our Commonwealth requires that no man be engaged in employment or business for more than six (6) consecutive days, that legislation to the effect that individuals be required to abstain from at least one (1) day's gainful employment and entitling the individual to select for himself the day of abstinence be substituted.

Mr. SCHWARTZ. Mr. Speaker, I would like permission to have my remarks spread on the record rather than giving them in extenso at this time.

Mr. Speaker and Members of the House of Representatives, before Senate Bill 405, Printer's No. 670, is passed without amendment, and sent to the Governor for the signature which he has publicly promised, I would like to speak on the background and merits of the bill, and fully explain the position with the opponents of the bill have taken.

Senate Bill 405 has been maneuvered through both Houses of the General Assembly by one of the best organized lobbying efforts this House has seen in many sessions. Basically, its origin was in a meeting of the Pennsylvania Retailers Association months before the present session of the General Assembly began. It was brought about by the organized retailers recognition of the fact that Sunday retail operations were beginning to be "big business." The continued increase in Sunday sales indicated a much greater desire on the part of our citizens for Sunday retail sales than anyone had foreseen.

In any line of competitive business, when a competitor comes up with an effective, publicly acceptable method of taking business away from you, you must meet his competition by coming up with a better idea, or beating him at his own game. However, it occurred to the Pennsylvania Retailers Association that there was also a third way—legislate your competitors out of business. The precedent, in this case, already existed in the form



of an archaic law which literally prohibits every form of worldly employment on Sunday.

Because the strict enforcement of this ancient "Blue Law," now known as Section 699.4 of the Penal Code of 1939, would close up every form of business, including retail, wholesale, manufacturing, processing, distributing and transportation, and almost every form of healthful sport and recreation, there has been little or no enforcement of the law. This is in keeping with a well known axiom of law to the effect that it is impossible to enforce a law which is not supported by the majority of the people. Also, even if a zealous law enforcement officer should, in a discriminatory manner, enforce the law against any particular group of businessmen, the fine of four dollars was not a sufficient deterrent.

Due to the extreme unpopularity of the Sunday "Blue Law", and the fact that its partial enforcement against only one segment of the regular Sunday violators, does not stand up well in the higher courts, the Pennsylvania Retailers did not do the obvious and prepare a bill to raise the four dollar fine imposed for violation of Section 699.4—instead they hit upon the idea of creating a new section, 699.10, which would impose heavy fines upon Sunday retailing only, leaving section 699.4 to be ignored as it has always been in the past. Incidentally, the impossibility of enforcing Section 699.4 has been dramatically demonstrated during the past week, when the Attorney General of Pennsylvania secured an order to prevent Justices of the Peace from making "sight convictions" for violations.

By adding section 699.10, the tremendous opposition which would have murdered any attempt to increase fines under section 699.4, was reduced to the two groups which have an interest in Sunday sales, the retailers and the consumers involved. The retailers are admittedly a small minority of all retailers, and the consumers, or Sunday purchasers, are not organized.

The next thing the proponents of this bill had to consider was the question of what articles should, or should not, be banned from sale on Sunday. The inclusion of all retail sales would have produced enough opposition to kill the bill. Therefore, sufficient articles had to be eliminated from the bill to dilute the opposition to the point where the bill had a fair chance of passage and would still achieve the desired result of putting their competitors out of business.

Accordingly, meetings were held to discuss the matter, and after much consideration, it was decided that certain articles had to be left out of Senate Bill 405, or it could not pass. These include: tobacco products; cameras, projectors and photographic supplies; firearms; automobile fuels, lubricants and accessories; cosmetics; sporting goods; boats and marine engines; mobile homes and real estate; airplanes and aviation accessories; seed, feed and fertilizers; farm implements and machinery; cigarette lighters; patent medicines and prescription drugs; food; books, magazines and newspapers; and others too numerous to mention.

The above exclusions, from the standpoint of the Pennsylvania Retailers, did not hurt the bill to any great extent. Left in the bill were the major categories of merchandise sold in large department stores, so it will still give them the protection they desire from their Sunday competitors. It is worthy of mention, however, that the

Senate Committee which considered the bill was not completely satisfied. They heeded the pleas of the Sunday resort operators, and the concessionaires of the Pennsylvania Turnpike Commission, and wrote in the specific exclusion of "novelties and souvenirs".

The retailers next move was to secure effective support from groups other than their own. Local chambers of commerce, supported largely by retailers, were immediately enlisted. The State Chamber tacitly supported the bill, but mindful of its members who engage in manufacturing, processing, distributing and wholesaling on Sunday, it did not make any large public gestures. The church groups were easy, since policy automatically supports any bill to stop anything on Sunday. With a large segment of business and Church groups on their side, the support of the Republican Party was assured.

The Democratic Party could not be approached on the same issues. It has been the liberal party of the country, and has never been known to support the conservative "Blue Laws". However, the Democratic Party is the champion of labor, and through that approach, many Democrats were induced to support the bill. Organized labor was induced to support the bill by the threat, if it failed to pass, every member of the Pennsylvania Retailers Association would have to open on Sunday to meet competition, and this would have forced five hundred thousand retail clerks to work on a large number of Sundays each year.

Last Tuesday, in what the Speaker described as a "history-making" session, the House voted down every attempt made to render this bill less discriminatory, or to make it more liberal. By our actions, we declared to all, that Senate Bill 405, Printer's No. 670, without changing a single word, is just the bill the people need to protect the Sabbath from commercialism, and to guarantee the working man a Sunday free to spend at worship and with his family. The majority of this House clearly indicated that housewares and musical instruments were not to be sold on Sunday by voting down amendments to remove them from the bill. The same majority indicated that cosmetics, firearms, sporting goods, mobile homes, real estate, and other items, should not be banned from sale on Sunday. The majority approved all sales at what is known as "wholesale" by voting down an amendment to include the word in the bill.

A majority of this House approved of forcing those whose conscience dictates that they observe Saturday as their Sabbath, to also observe Sunday. And the majority, by rejecting another amendment, approved of manufacturing, processing and distributing on Sunday. The majority also voted to endorse the bill as "constitutional".

We assume that those who voted down all amendments can explain to the church people and labor locals representing other than retail clerks, why they did not want to make S-405 any stronger than it is.

I have too much respect for the intelligence of the members of this distinguished legislative body to even begin to believe that they felt that Tuesday's actions could be classed as "fair" or "consistent". The proponents of the bill have been stating for weeks that this bill must pass "without amendment". They sold the bill, and secured commitments, on that basis so that members who gave their word to support the bill without amendment, could not, "in conscience", keep their commitments and



vote for an amendment. It reminds me of an old expression—"Don't confuse me with the facts when my mind is made up".

Senate Bill 405 is a "special interest" bill and it is a highly discriminatory bill. It is a "special interest" bill because it was conceived and introduced by a state association, representing a single group of businessmen, to give them a competitive advantage. It is discriminatory for many reasons—because it forces certain citizens who conscientiously observe their own Sabbath on Saturday, to remain closed on the Christian Sabbath as well, thus limiting them to a five day week, while all other retailers have a six day week; it is discriminatory because it seeks out only one form of worldly employment and levies a heavy fine upon it, while leaving all other forms of worldly employment to be banned by a law which provides low fines, and which the Attorney General of the Commonwealth does not even wish to have enforced; it is discriminatory because it even subdivides the class of worldly employment it prohibits by deliberately failing to include hundreds of articles which could not, by any stretch of the imagination, be considered so essential that their sale on the Sabbath is necessary; it is discriminatory because it purports to guarantee four percent of our population the right to spend Sunday with their families, while making no provision whatsoever for the other ninety-six percent; and it is discriminatory because it declares that an act which is legal and proper on six days of the week becomes a crime on the seventh.

Members of the House, in my opinion, this limited special interest bill is a perfect example of the kind of legislation which should never even reach the floor of the House, much less be passed. Further, I am convinced that somewhere up the line, an Appellate Court will, by implication, call the Pennsylvania General Assembly to task for such an act when the bill is declared unconstitutional.

I ask all those whose convictions are the same as my own to have the courage to be counted as voting "No" on Senate Bill 405.

Mr. WORLEY. Mr. Speaker, as a Member of this House who watches the political scene, I recognize the great religious, labor and business interests that are urging this House to pass Senate Bill No. 405 in its present form and substance, and I want to say that I will put my record in this General Assembly up against that of any Member in support of the religious rights of the people of this Commonwealth but, after all this, I still remember that I took a solemn affirmation to support the Constitution of the United States and the Constitution of this Commonwealth, and that obligation to support these Constitutions is my first duty as a lawmaker.

The substance of that affirmation appears in the Pennsylvania Constitution under Article 7, Section 1. It is on page 57 of the Pennsylvania Manual of 1957-58 in case any Member of this House would care to look at it at this time.

I want to say that we are bound by the United States Constitution just as much as we are bound by the state Constitution. A bill passed by this General Assembly that violates the United States Constitution is void in its entirety without the presence of severability. I say that the Members of this House have a constitutional right to question the constitutionality of Senate Bill No. 405 on a con-

stitutional point of order as to its conformity with the United States Constitution just as much as they have the right to test the constitutionality of this bill as to its conformity with the Constitution of this Commonwealth.

I say to the Speaker that if House Members cannot test a bill as to its conformity with the requirements of the United States Constitution, what better way can laymen in the Legislature tell whether or not they are supporting the Constitution of the United States which, I now remind you, is incorporated into the oath or affirmation in the Pennsylvania Constitution itself; and even if the Federal Constitution were not so incorporated, State Legislators would, nevertheless, be bound by it for the reason that this basic federal document contains rights that are guaranteed to the citizens and those rights are so guaranteed as to prevent any legislative interference by any legislative body within the scope of the United States' jurisdiction. I say, Mr. Speaker, this General Assembly has as much of a duty to have its bills consistent with the United States Constitution as any other local, state or federal, legislative, executive or judicial body within any part of the United States.

I am voting against Senate Bill No. 405, Printer's No. 670, for the reason that it violates the Special legislative prohibition in the Constitution of Pennsylvania and it also violates the 14th Amendment of the United States Constitution. By reason of the United States Supreme Court decisions, the first amendment of the United States Constitution is incorporated into the 14th Amendment and thereby causing a binding obligation upon all state legislators in a broad scope under the 14th Amendment.

I will admit that the states have the police power to regulate the number of days a person can work or do business as a proper exercise of the health and welfare portion of the state's police power, but I will not agree that such a legal fiction of police power can be extended so as to create a power in the states to choose the particular day of Sunday for rest or stoppage from work or business for the reason that Sunday grows out of one portion of the Christian religion.

I greatly respect the opinions of the lawyers of this General Assembly who believe this bill to be constitutional but, in my very limited ability, I cannot agree that custom and usage can ever extend the police power—which police power, by the way, has never been written into the Constitution at all—so as to cut off constitutional rights expressly written in that basic document. Can a legal fiction supersede an expressed right? I say to you, no legislature within the scope of this nation can legally retreat on constitutional freedoms to the people. Freedom of religion to agree with the majority is no freedom at all. You might even have that kind of freedom in a dictatorship. The only freedom that is worth its salt is freedom to disagree when everyone else is against you, provided, however, that you are not too disagreeable within the exercise of such disagreement.

Now Senate Bill No. 405 violates the basic concept of our constitutional freedom of religion.

In conclusion, I would like to quote William Penn's Maxim No. 527, from his writings called "Some Fruits of Solitude" and I quote, "No religion is better than an unnatural one."

Again I say to the proponents of this bill, are you not



in fact trying to put an unnatural one on the people of Pennsylvania by Senate Bill 405?

Mr. J. A. O'DONNELL. Mr. Speaker, I would like permission to have my remarks spread upon the record.

We have had Blue Laws on the books for generations—Senate Bill No. 405 gives the Blue Laws some teeth and it imposes a fine which will eliminate the abuse of Sunday Sales. There is no part of this bill which has anything to do with religion. I believe this Bill presents the only solution to the problem of preventing Sunday from becoming another bargain day in business.

This bill clearly and definitely states what type of merchandise may be sold on Sunday and provides adequate penalties making enforcement possible.

The public would not be inconvenienced at all because the items prohibited are not, in any sense, necessities or convenience goods that should and must be sold on Sunday. This bill is patterned closely from the law, passed in 1957, prohibiting the sale of automobiles on Sunday. At this point, Members of the House, I should like to point out that practically every auto dealer and auto salesman in Pennsylvania favored that law in its entirety.

Let us consider the social aspects of this bill. This bill will enable the thousands of store clerks in our State to look forward to a day to rest and to spend with their families—the one day they can spend with their children who are not in school on Sunday. If this bill is passed, we are, in effect, improving in another way the working conditions of the people of Pennsylvania.

This bill has been prompted by the thousands of letters which have been received from the people of Pennsylvania asking that something be done for the men and women who work in department stores. This bill is favored by the American Federation of Labor, a large, organized Labor Group of our Commonwealth, who are speaking for the people who have no one to speak for them. If business will not permit its employees to have a day of rest, then this kind of legislation is necessary.

This is a necessary bill. It is a bill which the people of Pennsylvania want and need. I am in favor, and I hope, gentlemen, that you will support it with your votes.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—181

Agnew,	Frascella,	McDonald,	Rovansek,
Anderson,	Fulmer,	McInroy,	Royer,
Auker,	Galley,	McKeever,	Rudisill,
Balthaser,	Gallagher,	McLaughlin,	Sakulsky,
Barton,	Garlock,	Machmer,	Schuster,
Bell,	George,	Magee,	Seltzer,
Blair,	Gibb,	Mahan,	Sherman,
Boles,	Gramlich,	Markley,	Shupnik,
Bonner,	Guthrie,	Maxwell,	Snare,
Boris,	Hamilton,	Meholchick,	Snider,
Bower,	Heavey,	Merry,	Stank,
Bowman,	Heffner,	Mihm,	Steckel,
Branca,	Helm,	Miller, B. Z.,	Stevens,
Brenninger,	Henzel,	Miller, H. G.,	Stewart,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Holliday,	Muldowney,	Stone,
Buchanan,	Horst,	Mullen,	Stoner,
Burns,	Irvls,	Murphy, A. J., Jr.	Strausser,
Capano,	Jenkins,	Murphy, P. J.,	Stroup,
Capitolo,	Jim,	Murray, H. P.,	Taylor,
Cianfrani,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Cioffi,	Johnson, R.,	Murray, P. G.,	Trusio,
Clarke,	Jones, T. H. W.,	Musto,	Ujobai,
Comer,	Jump,	Naugle,	Varallo,
Crossin,	Kamyk,	Needham,	Varner,

Curwood,  
Davis,  
Dengler,  
Dennison,  
Devlin,  
Donahue,  
Donaldson,  
Dougherty,  
Down,  
Edwards,  
Ellberg,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Flynn,  
Foerster,  
Fox,  
Frank,

Kee,  
Kelser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,  
Kornick,  
Korns,  
Kovolenko,  
Kubitsky,  
Lamb,  
Lee, A. M.,  
Leonard,  
Light,  
Limper,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,  
McCann,  
McCormack,

Nelson,  
O'Dell,  
O'Donnell, J. A.,  
Odorisio,  
Ogilvie,  
O'Neil,  
Parlante,  
Pashley,  
Perry, H. H.,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,  
Renwick,  
Rigby,  
Riley,

Verona,  
Wall,  
Walsh,  
Wargo,  
Weldner,  
Welsh,  
Wescott,  
Wheeler,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willaredt,  
Wilt,  
Wood,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

#### NAYS—21

Arlene,  
Ashton,  
Dennis,  
Fineman,  
Floyd,  
Gelfand,

Goldstein  
Goodrich,  
Holt,  
Isaacs,  
Jones, F. R.,

Lee, K. B.,  
Lippincott,  
Monroe,  
O'Donnell, J. P.,  
Perry, P. E.,

Scarcelli,  
Schaaf,  
Schwartz,  
Silverman,  
Worley,

#### NOT VOTING—6

Cooper,  
Moran,

Munley,  
Sullivan,

Thompson,

Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### REASONS FOR VOTE

Mr. J. P. O'DONNELL filed the following reasons for his vote on Senate Bill No. 405:

Sen. Bill 405 is a bad piece of legislation.

And tends to chase business both large and small from the City of Philadelphia;

That is why I am voting against it.

Mr. SCHAAF filed the following reasons for his vote on Senate Bill No. 405.

Mr. Speaker and Members of the House: I am compelled to vote against this bill because of my conviction that this is bad legislation. I too deplore and condemn the commercialization and secularization of Sunday, but this bill is not the answer. On July 28, 1959, I, along with others, suggested the unconstitutionality of such legislation. I believe that time will prove us correct. It is a pity that this House should become a pawn in a pitched economic battle.

The SPEAKER pro tempore. The Chair requests the Speaker to return to the rostrum.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Armstrong for presiding.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 424, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the issuance and transfer of liquor licenses.

On the question,



Will the House agree to the bill on third reading?

Mrs. GAILEY, GOLDSTEIN and A. M. LEE asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information

Amend Sec. 1 (Sec. 404), page 3, lines 17, 18 and 19, by striking out "A PROTEST IS DULY" in line 17, all of line 18, and "DICATES THAT" in line 19, and inserting "in the board's opinion"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. GAILEY. Mr. Speaker, very briefly, what this amendment does is to restore this bill to the form in which it was originally introduced in the Senate and which just passed that body and came over here to the House. If I am not incorrect, I believe both Party platforms this year called for the passage of legislation such as this. This is the so-called Anti-Skid Row Bill.

Under the terms of the bill as it was originally introduced, the bill says that if in the opinion of the Liquor Control Board a new license or transfer in certain conditions would be detrimental to the welfare, health, peace and morals of the inhabitants of a neighborhood within a radius of 500 feet, then the Board shall, I repeat, shall, refuse to issue such a new license or approve a transfer. In other words, it is concerned with those areas where principally the neighborhood is overrun with taprooms and a surplus of taprooms, most of them of low nature which have contributed enormously to the run-down condition of the neighborhood over the years.

The bill was amended and language was inserted into the bill giving the Board discretion in these cases only if a protest was made to the Board. In other words, some inhabitant of the neighborhood, someone living within 500 feet of the proposed new license or transfer must formally protest to the Liquor Control Board before the Board would have the right to disapprove. Therefore, if no protest was forthcoming, and most of the people who live in neighborhoods of this sort are without the financial resources that would enable them to hire counsel and to make such a protest, that unless such a protest were made, then the Board would be unable to deny such a transfer or new license.

It seems to me, Mr. Speaker, that the bill as originally introduced and passed the Senate is a much better bill than the one which we have before us here in the House as it was amended in committee, and that this amendment would replace the bill to its original form and meet not only with the letter of our platform pledges, but also with their spirit.

I ask all the Members of the House, on both sides, to support the amendment in order that our platform pledges might be fulfilled.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Gailey.

The SPEAKER. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, was this bill amended in the Senate?

Mr. GAILEY. Mr. Speaker, this bill was not amended in the Senate: the Bill was amended in the House Committee.

Mr. McCORMACK. And the amendment in the House Committee was striking out the phrase "in the Board's opinion" and putting in a provision.

Mr. GAILEY. If I may quote it, inserting the language, "if protest is duly made and the preponderance of evidence indicates that such a license or transfer would be detrimental."

Mr. McCORMACK. Your amendment would restore it to the position it was in when it passed the Senate?

Mr. GAILEY. That is right,

Mr. McCORMACK. Mr. Speaker, I have no particular quarrel with what the gentleman from York in what he is trying to do, except that I feel that the bill as amended in the Committee of the House was a desire to protect the licensee, to protect him in this way the Board could not arbitrarily decide not to transfer a license if the Board found it was detrimental to the health, morals, welfare and safety of the inhabitants within a radius of 500 feet of the proposed establishment, but they felt that there had to be a preponderance of the evidence and there had to be a protest made.

I think that is a safeguard it would be well for us not to delete because if you restore "in the Board's opinion," you would have a situation where they could arbitrarily within their rights decide not to transfer a license even where there had been no protest lodged by the residents of the immediate neighborhood. I think this safeguard was wisely put into this bill by the House Committee and we should not disturb it at this time.

It is true that the provision was in the platform of both Parties. It is a very desirable bill, and I would like to see it on its way as soon as possible because of the chaotic conditions that exist in the big cities, especially today, as a result of the Skid Rows that exist. So, in order to expedite it, I would ask that the amendment be voted down and we pass the bill as it is at the present time.

Mr. GOLDSTEIN. Mr. Speaker, I am a co-sponsor of this amendment with the gentleman from York, Mr. Gailey.

A similar bill was debated and lost by a few votes in the 1957 session. The gentleman from Philadelphia, Mr. Floyd, and myself are co-sponsors of House Bill No. 5, serving the same purpose.

The gentleman from Philadelphia, Mr. McCormack, is worried about the licensee. We as the judges of the morals and safety of the people of this Commonwealth should be worried about the residents of areas which taverns have invaded to the detriment of the community. I speak of the Point Breeze area in the city of Pittsburgh. I know Mr. Floyd and Mayor Dilworth can give you numerous instances in the city of Philadelphia. These particular amendments are constructive: the bill as amended in Committee is destructive. Let us stand behind the Republican and Democratic platforms and vote for this amendment.

Mr. GAILEY. I stand only to ask for a roll call vote on these amendments, Mr. Speaker.

The SPEAKER. The Chair was about to ask the gentleman from York whether he desired a voice vote, a division or a roll call.

Mr. GAILEY. I ask for a roll call, Mr. Speaker.

The SPEAKER. The roll will be called.



Mr. PETROSKY. Mr. Speaker, I rise to oppose the amendment offered by the gentleman from York, Mr. Gailey.

I am afraid we are going far afield in event that we adopt the proposed amendment. We go so far as to create a super board in liquor control that would have basically a decision that would be made and then a decision that could not, of course, be appealed from further in our courts. True enough, with this amendment to be adopted and the act provided for, a hearing an appeal on the basis of facts or new facts, then there is a possibility that we would not be giving away our legislative prerogative here and handing everything over to a body that is created by the Legislature to rule upon as they see fit.

The amendment that was placed in the bill in Committee was a satisfactory amendment. It would conform to what was agreed to in both Republican and Democratic platforms, that where there was a case, and there was a preponderance of evidence, that the basic health and welfare of the community was affected they could so act. To apply this amendment, you would necessarily have to give the right to some of our citizenry to have the right of appeal as well. In that manner, then, we would not be giving away our legislative prerogative, but at this date, to so give all power to a Board, as we would in the adoption of this amendment, I believe would be the wrong thing to do for all the people in the Commonwealth.

I pass no reflection upon the Board at present or upon any other board that may sit, but I do not believe the 210 Members of the House here want to hand super powers to any board or commission such as this amendment would give.

I ask the Membership of this House to vote down the amendment. The amendment is opposed by the Federation of Clubs groups throughout the Commonwealth, the Tavern Association people, as well, for the protection of a license and a patrolled industry that they are involved in today.

Mr. A. M. LEE. I do not wish to prolong this, Mr. Speaker, but I would just like to say briefly that I feel on the question of vesting the discretion in the Liquor Control Board, the situation that this bill is designed to correct is a serious one and I think that vesting the discretion in the Liquor Control Board is the best way to go about it. I feel that in requiring a preponderance of the evidence in a situation such as this we are opening up a Pandora's Box that may very well negate the effectiveness of this particular bill.

I would merely like to say that the amendment offered by the gentleman from York and the gentleman from Allegheny is a good amendment, and I hope all the Members of the House will support it.

Mr. BELL. I am speaking very briefly in support of the amendment. The amendment should be supported because to have a protest you have to have someone make the protest. Because of indifference or perhaps fear, you may not have the protest. Therefore, I urge the support of the amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. GAILEY and FOERSTER and were as follows:

# YEAS—124

Agnew,	Fetterolf,	Korns,	Riley,
Arlene,	Filo,	Kovolenko,	Rudisall,
Ashton,	Floyd,	Kubitsky,	Schuster,
Auker,	Foerster,	Lamb,	Seltzer,
Balthaser,	Fox,	Lee, A. M.,	Silverman,
Barton,	Fulmer,	Leonard,	Snare,
Bell,	Galley,	Light,	Snider,
Blair,	Gallagher,	Lutty,	Steckel,
Boles,	Garlock,	McCann,	Stevens,
Bonner,	Gibb,	McDonald,	Stewart,
Boris,	Goldstein,	McInroy,	Stimmel,
Bower,	Goodrich,	McLaughlin,	Stoner,
Branca,	Gramlich,	Magee,	Strausser,
Brenninger,	Guthrie,	Mahan,	Stroup,
Brown,	Hamilton,	Markley,	Taylor,
Buchanan,	Heavey,	Merry,	Ujohal,
Burns,	Heffner,	Mihm,	Varnar,
Cloom,	Helm,	Miller, B. Z.,	Wall,
Clarke,	Henzel,	Miller, H. G.,	Walsh,
Davis,	Holliday,	Murray, H. P.,	Weidner,
Dengler,	Horst,	Murray, J. J.,	Welsh,
Dennison,	Irvis,	Murray, P. G.,	Wheeler,
Devlin,	Jenkins,	Naugle,	Whittaker,
Donahue,	Johnson, A. W.,	Nelson,	Williams, A.D., Jr.,
Donaldson,	Johnson, R.,	O'Dell,	Williams, E. S.,
Down,	Jones, T. H. W.,	Perry, H. H.,	Willaredt,
Edwards,	Kamyk,	Perry, P. E.,	Wilt,
Ellberg,	Kee,	Polen,	Wood,
Eshback,	Kernaghan,	Price,	Worley,
Eshleman,	Kooker,	Pursley,	Wynd,
Ewing,	Kornick,	Rigby,	Zimmerman,

# NAYS—74

Anderson,	Jim,	Munley,	Royer,
Breth,	Jones, F. R.,	Murphy, A. J., Jr.	Sakulsky,
Capano,	Jump,	Murphy, P. J.,	Scarcelli,
Capitolo,	Kelser,	Musto,	Schaaf,
Cianfrani,	Kessler,	Needham,	Schwartz,
Comer,	Lee, K. B.,	O'Donnell, J. A.,	Sherman,
Crossin,	Limper,	O'Donnell, J. P.	Shupnik,
Curwood,	Lippincott,	Odorisio,	Stank,
Dennis,	Lopresti,	Ogilvie,	Tompkins,
Dougherty,	Luigard,	O'Neil,	Trusio,
Farabaugh,	McCormack,	Parlante,	Varallo,
Fineman,	McKeever,	Pashley,	Verona,
Flynn,	Machmer,	Petrosky,	Wargo,
Frank,	Maxwell,	Polaski,	Wescott,
Gelfand,	Meholchick,	Prendergast,	Yatron,
George,	Mills,	Reibman,	Yetter,
Hocker,	Monroe,	Reidenbach,	Andrews,
Holt,	Muldowney,	Renwick,	Speaker
Isaacs,	Mullen,	Rovansek,	

# NOT VOTING—10

Bowman,	Knecht,	Stone,	Thompson,
Cooper,	McCandless,	Sullivan,	Willard,
Frascella,	Moran,		

So the question was determined in the affirmative and the amendments were agreed to.

# BILL PASSED OVER

There being no objection,

Senate Bill No. 434, Printer's No. 613 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 444, entitled:

An Act amending the act of June 25, 1913 (P. L. 551), entitled "An act to authorize the incorporated or unincorporated churches, cemeteries or burial associations owning burial grounds located wholly or in part in any city, township or borough of this Commonwealth to purchase other grounds and to sell and convey in fee simple such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them under the terms hereof or otherwise . . ." further regulating the change of location of burial-grounds or portions thereof and removal of bodies by court order.



And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Karayk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Keiser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 513, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," increasing the amount that cemetery and burial corporations must set apart for perpetual care and preservation of the grounds and buildings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Karayk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Keiser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neil,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 579, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," further regulating pension rights.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irviss,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Walsh,
Devlin,	Keiser,	O'Donnell, J. A.,	Wargo,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Donaldson,	Kessler,	Odorisio,	Welsh,
Dougherty,	Knecht,	Ogilvie,	Wescott,
Down,	Kooker,	O'Neil,	Wheeler,
Edwards,	Kornick,	Parlante,	Whittaker,
Ellberg,	Korns,	Pashley,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, P. E.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Prendergast,	Wynd,
Fineman,	Light,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Yetter,
Flynn,	Lippincott,	Reibman,	Zimmerman,
Foerster,	Loprestl,	Reidenbach,	Andrews,
Fox,	Luigard,	Renwick,	Speaker
Frank,	Lutty,	Rigby,	

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS PASSED OVER

There being no objection,

Senate Bill No. 637, Printer's No. 689 and

Senate Bill No. 683, Printer's No. 740,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 771, entitled:

An Act amending the act of May 11, 1889 (P. L. 188), entitled "A further supplement to an act entitled, 'An act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved March twenty-nine one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots," further regulating the rates of pilotage.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irviss,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A.J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varner,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Walsh,
Devlin,	Keiser,	O'Donnell, J. A.,	Wargo,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Weidner,
Donaldson,	Kessler,	Odorisio,	Welsh,
Dougherty,	Knecht,	Ogilvie,	Wescott,
Down,	Kooker,	O'Neil,	Wheeler,
Edwards,	Kornick,	Parlante,	Whittaker,
Ellberg,	Korns,	Pashley,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, P. E.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Wood,
Fetterolf,	Lee, K. B.,	Polen,	Worley,
Filo,	Leonard,	Prendergast,	Wynd,
Fineman,	Light,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Yetter,
Flynn,	Lippincott,	Reibman,	Zimmerman,
Foerster,	Loprestl,	Reidenbach,	Andrews,
Fox,	Luigard,	Renwick,	Speaker
Frank,	Lutty,	Rigby,	

## NAYS—0

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.



Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 784, entitled:

An Act amending the act of December 27, 1951 (P. L. 1793), entitled "Liquidified Petroleum Gas Act," increasing the registration fees in certain cases providing for a method of inspection of installations and requiring the maintenance of certain records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snare,
Branca,	Heffner,	Mihm,	Snider,
Brenninger,	Helm,	Miller, B. Z.,	Stank,
Breth,	Henzel,	Miller, H. G.,	Steckel,
Brown,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irviss,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Murray, P. G.,	Trusio,
Curwood,	Jones, F. R.,	Musto,	Ujobal,
Davis,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Dell,	Wall,
Devlin,	Keiser,	O'Donnell, J. A.,	Walsh,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kessler,	Odorisio,	Weidner,
Dougherty,	Knecht,	Ogilvie,	Welsh,
Down,	Kooker,	O'Neill,	Wescott,
Edwards,	Kornick,	Parlante,	Wheeler,
Ellberg,	Korns,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

#### NAYS—0

#### NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILL PASSED OVER

There being no objection,  
Senate Bill No. 811, Printer's No. 937,  
was passed over at the request of the SPEAKER.

#### BILL ON FINAL PASSAGE POSTPONED

##### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1726, Printer's No. 790, on page 15 of today's calendar, bills on final passage postponed.

#### BILLS ON THIRD READING

##### BILLS PASSED OVER

There being no objection  
House Bill No. 63 Printer's No. 1170  
House Bill No. 168 Printer's No. 1196  
House Bill No. 263 Printer's No. 1223 and  
House Bill No. 288 Printer's No. 1123  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 322, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act" approved October 27, 1955 (P. L. 744) prohibiting discrimination in the selling leasing or financing of commercial housing and discrimination in places of public accommodation resort or amusement because of race color religious creed ancestry or national origin and changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relation Commission.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mrs. MONROE. Mr. Speaker, I would like to speak a few words on Bill 322.

One of the greatest needs which exists today in the state of Pennsylvania is an urgent need for good housing for the citizens in the low income brackets.

House Bill 322 will make it possible that these particular citizens will have the advantage of decent homes. I do not believe that there exists one man or one woman who would not recognize this great need and not do his or her duty toward his or her neighbor and would oppose the bill which would give these people the opportunity of proper environment which many enjoy.

Let us extend our good feelings in helping them to acquire this goal. Members of the House, in my opinion, this legislation is good and very much needed in the state of Pennsylvania and certainly should be on the statute books.

It is at once apparent from an examination of the data that substandard housing is by no means limited to any one section of the country.

The extent of substandard housing and the characteristics which render dwelling units substandard, however, vary considerably from region to region and still more widely from city to city.

On the basis of all the criteria considered, cities in the

southeast region are found to have the largest proportion of substandard units, while housing in the northeastern region is relatively more adequate.

It might be interesting to know that as a whole 15 percent of the urban dwelling units lack indoor flush toilets. In the southeast 32 percent of all city dwelling units lack this facility. In the southwest 25 percent; in the northwest 19 percent; in the northeast only 12 percent.

We could go on and on and describe the other characteristics of bad housing but suppose we stop here.

What is the cause of bad housing? There is a simple answer; people cannot afford to live in good homes.

To meet this problem we have had the establishment of the United States Housing Authority which supplied financial assistance, which most local housing authority can get, and without which they would be powerless to erect a single dwelling. The Capital assistance consists of capital loans and annual contributions.

Local Housing Authorities may borrow from the United States Housing Authority as much as 90 percent of the cost of low-rent projects. The loans bear interest—usually 3 to 3½ percent and must be paid within 60 years. The original United States Housing Act provided eight hundred million dollars for such loans.

Naturally the question is asked: can slum dwellers be rehoused? Wherever there are cities on this troubled globe, an appalling number of humans find shelter in obsolete, odororous, decaying houses. Many are kindling for disastrous fires.

For only a few dollars more rent per month, these millions of people can be decently housed, if the job is undertaken on a large scale, that permits the employment of all possible economies and either ignores profit or reduces it drastically.

Very little of the worst housing is profitable, so it is not held in high esteem by its owners.

Consideration for the general welfare suggest that it be removed and something better provided. Bad housing is admittedly one of the principal afflictions of the poor.

Thousands of unselfish men and women in various countries believe that housing is logically and practically the first point of attack. They have been studying the problem for a long time and they bring valuable contributions to its solution.

Oftimes people can live in cities without seeing the sore-spots in housing, that is in old, rich and proud municipalities. Sometimes not too far distant from a State Capitol, slum areas can be seen in the background: indeed, they are not pleasant sights to behold.

The philosophy underlying the present trend toward subsidized public housing appears to be that every man, no matter what his economic status, is entitled to a decent place in which to live—just as it has become an accepted part of American thought; that every child is entitled to a free education, no matter what his parents income.

Proponents of subsidized housing say that, like free education, the civic values of decent housing in place of crime-breeding slums are such that all citizens benefit and should therefore join paying the cost.

Whether the members of the industry share this view or not, it must be admitted that it has apparently gained considerable public acceptance without commenting on the right or wrong of the idea of government subsidized

housing. Yes, I know we object to subsidy from the government on many grounds, but on the other hand let us look at the positive side of the problem.

This type of aid to housing puts people in a decent home and active participants in the community in which they live. This would encourage building in the country as well as in cities and small towns, but cities most of all.

In some of our first class cities, there are buildings so old that they are on the verge of collapse.

Regardless of that, the people need good housing that will meet regulations in terms of safety, comfort and well being of human needs.

Poor housing is a menace to any community. It contributes to delinquency; it does not help the appearance of a neighborhood; it is defective.

I respectfully ask you to vote favorably on this House Bill 322, Printer's No. 1161.

Mr. IRVIS. Mr. Speaker, I am honored to follow the lady from Philadelphia and I should like to address a few remarks in favor of House Bill 322 this afternoon.

I rise to my feet as a freshman Legislator with, I believe, justifiable trepidation. I decided when I first came into the Hall of this House as a bubbling neophyte to do very little bubbling and a lot of neophytting.

I decided I would keep my eyes and ears open and my mouth reasonably shut. Having seen what happens to the experienced men on this floor who rise to address this august body, I think my rule is an excellent one. Nevertheless, Mr. Speaker, the problem to which Bill 322 addresses itself is one of such magnitude in this country and in this Commonwealth of ours that I find it incumbent upon me to break my firm rule.

Since the end of World War II all of us in the Hall of this House are aware that we have lived in a house with glass walls. Prior to World War II, it was possible for us to burn, to tear down, to destroy each other and only we knew about it. Since World War II we have been watched by the emerging peoples of this world to see whether or not we are actually, as the Communists label us, a bunch of pious hypocrites proclaiming democracy and the brotherhood of man in our constitution, but refusing to abide by the proclamation.

We are watched by better than 2 billion people in this world. Most of those people are colored. The white race, while in the majority in this Commonwealth and in the United States of America, is not in the majority in the entire world. My children and your children and perhaps our grandchildren will have some day to give an accounting of whether or not we truly believe in the democracy we proclaim.

The Supreme Court in *Brown vs. the School Board*, in 1954, gave to the world the proclamation that the elimination of discrimination was within the public policy of the United States of America. This statement I think is no longer open to successful attack. But this declaration of policy in the School Board cases has not solved the problem and it will not solve the problem as long as the ghetto is with us. And the ghetto keeps with us all the problems of the ghetto—economic waste, the waste of human intelligence, crime and disease. And crime and disease and economic waste, Mr. Speaker and Members of this House, I know you know do not remain inside the ghetto but spread their evils throughout the total community.

You cannot live in your nice lawn-fronted home in the



suburbs and keep other peoples in filthy ghettos in the center of the city and expect that the problems of the ghettos will remain inside the ghettos. They will not.

I am asking today, and those of us who have endorsed this bill with our names and our reputations are asking, that this House go on record as joining with eight other states in this Union, Colorado, Massachusetts, Connecticut, Oregon, New York, New Jersey, California and Washington, in establishing it as a law that no one in this Commonwealth shall be refused a decent place to live because of his race, his color, his religious creed, his national or geographical origin.

Public housing authorities and urban redevelopment authorities are already covered in 26 cities and 13 states under similar legislation.

I point out to the ladies and gentlemen of this House, that all of us campaigned on platforms endorsed by our respective parties. I quote, Mr. Speaker, from page 79 of the House Legislative Journal, which contains the Republican platform, under Civil Rights, the following words:

"Recognizing existing inequities which some of our citizens experience in employment, education and housing because of race, creed, color, sex and age, the Republican Party of Pennsylvania pledges the following:

Expansion and strengthening of the present Commission so that a definite program can be launched and carried out to eradicate the evil of discrimination, as set forth in this plank, wherever it is encountered.

A plain endorsement, I point out to you gentlemen, of this Housing Legislation.

And on the Democratic side, the Democratic platform, quoting from page 75 of the House Legislative Journal, Section 16: The Democratic Party pledges:

An end to discrimination based on age, sex, race, creed, color or national origin in education, employment, housing, and public accommodations. Vigilant protection of civil liberties.

I have heard from several friends of mine in the Hall of this House a number of apprehensions and misapprehensions concerning this proposed legislation. I have been told by some of my good friends that the answer is education, and I think they believe this. I think they are sincere but they are in error mainly because they think of education as schooling. They refuse to see that laws may not themselves be educated, that legislation may in itself be a boon to the people by teaching them to follow their own instincts. Pure education in itself has never worked and the reason it will not work in this field is that a number of decent, honest, upright people in this community of ours, this Commonwealth of ours, are afraid to stand for their principles against the powerful suasion of minority groups who are vociferous, who are loud and sometimes dangerous, in their opposition to this type of legislation.

I could name a number of organizations and hundreds and hundreds of people who have spoken in favor of this bill. I shall refrain from doing that because of the time it is and I know you can talk a bill to death and I do not intend to do that. However, I shall be happy, if anybody wishes, to give some of these names.

Mr. Speaker, for the edification of the House, I ask the House's indulgence while I read to the House Mem-

bers the following—I think this may come as new information, and I hope those of you who are on the borderline of decision will pay close attention to some of these statistics:

Discrimination hits more than one million citizens of this Commonwealth every year, three-quarters of whom are Negroes. Incidentally, the fact that I, myself, am a Negro means that I am very potently aware of the problems which Negroes face in this Commonwealth. But there are men and women seated here today who have other racial, national and geographical origins, and they too are aware of their particular and peculiar problem.

This particular problem, the problem of getting decent housing, is aggravated chiefly in the city of Philadelphia, with a population of a half million Negroes, and the city of Pittsburgh with its population of more than 100,000 Negroes. The total population of Philadelphia is better than two million people, but the restrictions in Philadelphia have been so severe that in 10 of the 16 suburbs of Philadelphia there has been a decline in the last seven years in non-white population. Negroes have been refused time and time again in the Philadelphia area the opportunity to buy homes which they could afford. Incidentally, in the Philadelphia area there are more than 25,000 Negro families earning better than \$5,000 a year, and they are unable to secure adequate new or used housing.

In Allegheny County we built in the period of 1950 to 1955, 40,000 new homes—40,000—and of the 40,000 new homes only 130 were made available for Negro occupancy; out of 40,000, only 130. And in the city of Pittsburgh, the city of which I am proud and of which I think all of us from Pittsburgh are justifiably proud, we still have to excuse ourselves, for these statistics: 67.7 percent, nearly 68 percent, of all the Negroes living in Pittsburgh live in three out of the thirty-two Pittsburgh wards, and more than 50 percent of those Negroes live in homes officially classified as substandard. The reason for this, is obvious. It is not that Negroes enjoy living in substandard homes. It is the fact that they are ghettoized; they are surrounded by invisible walls which have been raised not primarily by the individual home owners, but primarily by the men who are in the business of selling and leasing real estate, even though these men will tell you that they are doing it only because their clients tell them to. This I do not believe.

Philadelphia cannot be proud of itself either in this matter of restriction of home buying. In the period of 1946 to 1955 Philadelphia built better than 200,000 new homes. Negroes were able to get less than one percent. Approximately 1,900 out of the 200,000 new homes were made available for Negroes. I need not remind you of the disgraceful thing that happened in Levittown in this Commonwealth only two years ago. All of you, I am sure, have that freshly in mind.

Friends of mine have said to me, this is your problem you have to worry about it, your people have to solve it. This is arrogant nonsense and shortsightedness. All of us pay the taxes on public housing. I do and you do. In Allegheny County 71 percent of the Negroes who are available for public housing are receiving it. We are subsidizing better than 71 percent of the Negroes in Allegheny County eligible for public housing, compared with the white statistics of only 10 percent. These same



people could be out renting and buying if they were permitted to do so.

Let me say this in concluding my remarks about this bill. First of all, I shall have to apologize to my teacher friends who know this is poor teaching procedure to say what a thing is not before you say what it is, but I have heard so much misinformation, and the Press incidentally has given out so much misinformation about this bill, that I think it better that I say some of the things the bill does not do.

The bill does not enforce integration. It is not a compulsive integration bill. If this bill becomes law in this Commonwealth, a man may refuse to sell, or sell his house to whomever he pleases—for no reason at all if he does not wish to give a reason, or for any reason except one. He may not say to me I refuse to sell you the house because of your race, or tell you he refuses to sell you the house because of your race, your color, your creed or your national or geographical origin. If he chooses to keep his mouth shut about his reason, nobody can do anything about it. He is not forced to sell his house to anybody.

Another thing this bill does not do. This bill does not touch the owner of his own personal residence, who lives in that personal residence. He may discriminate any way he chooses. Another thing this bill does not do. This bill does not discriminate against real estate brokers. I have received communications from various realtors and real estate brokers of this state, and they have told many of you that the bill is discriminatory, that a real estate broker may not discriminate, whereas the owner of a home may. This is not so. This is one of the big exceptions made in the bill, introduced by an amendment by Mrs. Monroe. Another thing the bill does not do. The bill is not punitive. The three important words in this bill are, conciliation, conference and persuasion, and all the machinery of the present FEPC bill is steadily maintained in this legislation. Only after all the investigation and private conferences and hearings are made, and only after the case is taken into court and gone over *De Novo*, only then can a person be found in contempt and only then can he be punished.

This type of legislation is a statement of public policy rather than a statement of public coercion. This type of legislation is constitutional under the police powers of the state, and it is so stated in the legislation.

In conclusion, for those who are—I was about to say timid, but perhaps that is not a wise word—those who wish to follow their constituency, as they say, very carefully, I suggest to them that they have a higher duty than following a public poll, that the duty of any Legislator is to lead, not merely to follow, for if he merely follows he may be following the most ignorant of his constituency and the most vociferous.

I should like to read into the record, in conclusion, the following, taken from the Pittsburgh Sun-Telegraph from the file of May 24, 1959, in which the editorial writer says as follows:

It is particularly fitting that the law should lead us out of this stalemate between our better feelings and our inherited prejudices. Government should not mean the passage of routine laws. It should mean the elevation of the Commonwealth through the development of legislation to permit us to bring out our best and finest instincts.

Government at its best should lead where the

people are consciously or unconsciously eager to follow.

I submit, Mr. Speaker, in asking for the support of this House for Bill 322, that the people of this Commonwealth are consciously eager to follow the lead of this legislation.

Mr. STEWART. Mr. Speaker, this bill is of necessity an emotional bill because it deals with prejudices which are basically emotional. I know that there are those who would say, you now go too far, this is an invasion of my property rights. And I ask: What is this property right—the right to sell to whom I choose? And I then ask, Was there ever such a right? I say I think not, and this is why. A right presupposes a duty, a duty upon someone. In this case the duty would be upon society to enforce the right. In fact, does society enforce this right? The answer is no.

On the contrary, restrictive covenants have been found unconstitutional by our Supreme Court and, in fact, there is nothing in our Constitution or in any other law which spells out this right. In fact, our early history shows that the right to sell was a limited right, more accurately defined as a privilege, subject to the power in society to take away the privilege in the interest of our entire democracy.

The law is that you may sell your land to whomever you choose, provided society does not choose to exercise its right to take your property for a school, railroad, highway, fire station, police station, city hall, library, public housing,—and now since the advent of urban renewal and redevelopment—stores, office buildings, food centers, food storage, theaters and manufacturing plants. All of these rights in government to take private property, whether the individual wants to or not, have effectively eliminated any so-called right. In other words the so-called property right is a limited one, particularly when it comes in conflict with society's needs.

Does anyone challenge the right of the fire marshal to blow up a row of houses to save a town? Of course not. In other words, when property rights conflict with the lives of individuals, or their freedoms, property rights must fall. Does anyone challenge the right of cities to zone the use of land? Does anyone challenge the right of government to tax the transfer of real estate? Of course not, even though the power to tax is the power to destroy. The right therefore is a defeasible one, subject to the call of society. I believe society must issue that call for a fair housing bill.

There are three basic needs of a minority group. They are, in order, to get a decent job, a decent house and an opportunity for education. In the climb up the ladder these things must be guaranteed as a right.

I do not mean to try the patience of this House; however, it is my belief that this bill is of tremendous importance to our state, nation and to the free peoples of the world. The spotlight of world opinion is upon us, and this is doubly true after the shameful incidents of the solid South. These incidents have done more to aid the Communist cause abroad than any other single factor, and they have placed an additional burden on the free people of the North to prove to the world that we believe in the principle that all men are created equal.

The Communist party has created a struggle for world domination; ours has been and will continue to be a struggle for world freedom. How can we win world opin-



ion to our side when we do not practice what we preach?

There is a time to lead and a time to follow. As Representatives it is our duty to follow the will of our people. However, in times of emergency we must lead our people in a path that will save the world from atomic destruction. At this juncture in history bold action to turn back the rising tide of Communism is a must. We cannot admit to the free people of the world that we believe in the principle of equality and then set up a gentlemen's agreement in our economic, social and educational fields.

As a Christian I am bound to the law of the brotherhood of man. As a lawyer I am bound to the Declaration of Independence that all men are created equal. As a Representative I am bound to save our state and nation from destruction. Members we cannot walk away from our responsibility. I ask you to vote in favor of this bill.

Mr. FLOYD. This bill is known as the fair housing bill. It will prohibit discrimination in selling, leasing, or financing of commercial housing against Negroes and other non-white citizens of the Commonwealth of Pennsylvania. Discrimination based on race and religion, whether it is in employment, education or housing has the same effect of demoralizing a person; it also discourages investment in certain areas; HB 322 would open up the market, relieve the congested areas, and remove the stigma of the so-called changing area; it would also place the renewal areas in a more favorable position to compete for the investment dollar. Many brokers and builders are opposed to this unwritten agreement. They will tell you that they would like to sell to Negroes and other non-white groups but they are prohibited, except where neighborhood is labelled as Colored or changing to colored, and if they do not approve this agreement these unethical characters will withdraw their business from them and give it to someone else. So you can see that HB-322 is very important to white and non-white, in Pennsylvania. I think that Governor Lawrence should be commended for his efforts on behalf of this bill. This bill was rejected in committee and if Governor Lawrence had not called in some of the opposition and persuaded them to support House Bill 322 it would not have been on the calendar for final passage today. Thank you very much, Mr. Speaker.

Mr. HOLT. Mr. Speaker, Fellow Members of the General Assembly, visiting dignitaries, ladies and gentlemen, it is with a great deal of pleasure that I address this August body on this auspicious occasion.

In these days of satellites and sputniks, when the minds of men are turned toward the effort of piercing the ethereal realm, seeking to find out what exists in the aerial region, one is prone to ask the question—have we so well mastered the terra firma that we can now afford to turn our minds to go beyond the stratosphere?

Scientific evidence proves to us that we are not yet conscious of the many valuable properties which the earth itself possesses. Just a few years ago, if we looked for the definition of uranium, we would have found that it was described as a white worthless substance, found in the earth, but today we find quite a different story. In our own time, we have seen the discoveries by medical men of cures and treatments for tuberculosis, pneumonia and many other diseases, which were once considered deadly, even polio. The discovery of the Salk Vaccine has reduced the death rate. Most of these cures came from the earth, and who knows, but that the cure for cancer still lies

undiscovered by scientists in the bosom of the earth.

It is most regrettable, that in these days of scientific discoveries, we have not made ourselves sincerely conscious of the greatest problem existing in the world, and more especially in our own beloved America, namely, the great lack of human understanding. Our failure to idealize the thought by each of us, that, I am my brother's keeper, and that we are all children of one God, has caused many of our brothers to be deprived of many of their inalienable rights under God and even our country.

The Constitution of our country, which to my mind, is the greatest document conceived in the minds of a few men and written by human hand, does not in itself promise happiness to our inhabitants, but guarantees the pursuit of happiness to all within our shores. The right to abridge the privilege of any man or woman in his pursuit, is both unGodly and unAmerican. Many countries which have condoned this practice, have according to History fallen; such lands as Rome, Greece, Spain, France, and even in our day, Belgium and Germany.

It has been truthfully said, that history repeats itself, and since this is true, we as lawmakers must of necessity enact such potent Civil Rights bills, and so strictly enforce them, that when future history shall have been written, our great nation shall not be added to these fallen countries, because of our own shortsightedness, negligence or failure.

I frankly admit, that we cannot legislate the minds of men, but I am also fully conscious that in making of such laws, poignancy should be the watchword to such an extent, that the effect of our Constitution and that of these laws, may make an indelible imprint upon the minds of all, that we may more greatly realize that we are Americans all, regardless of race, creed or color.

As America in its short history has today emerged as the leader of nations, its increase in integrity and power must not be endangered by the actions of a few, who through ignorance have stamped our country with the taint of prejudice and segregation, but we who sit in the seat of government must leave no stone unturned until we shall have succeeded in removing this blot from our country, and especially our Commonwealth, so that this may become the Land of the Free and the Home of the Brave.

#### REASONS FOR VOTE

Mr. HOCKER filed the following reasons for his vote on House Bill No. 322:

Mr. Speaker:

I wish to file my reason for voting against H. B. 322—I think it is discriminatory to only allow people to buy one kind of property; they should have the right to buy any property.

Mrs. KOOKER filed the following reasons for her vote on House Bill No. 322:

I cannot support House Bill No. 322 because—House Bill No. 322 would limit the discretion of an individual as to the disposition of his real property which he owns and upon which he pays taxes to his State and Nation. This legislation would be an infringement upon his personal and individual rights and liberties as an American citizen. Enforced legislation limiting the rights of an individual regarding his real property breeds a rebellious people—education produces a tolerant people, and I feel



what this bill seeks to accomplish can best be done by education.

Mrs. B. Z. MILLER filed the following reasons for her vote on House Bill No. 322:

I am voting against House Bill No. 322 because of commitments I have made in answer to many letters and telegrams from my constituents who voted for me strenuously opposing this bill.

They do not base their objections on race, religion or creed but are strenuously opposed to being regimented by law.

They consider this bill an invasion of their property rights and look upon this type of legislation as an infringement of this right.

The SPEAKER. The debate on this bill would have been a credit to the Congressional scene at Washington.

Mr. McCANN. While the vote is being tabulated, Mr. Speaker, I rise to pay a compliment to the gentleman from Allegheny, Mr. Irvis. For the first time this session he spoke into this microphone and I think he added dignity to this wonderful House of ours. I compliment him on his maiden speech.

Mr. IRVIS. I rise to accept the very nice compliment given the Members of this House who debated this measure. I also rise to tell the Majority Leader that that is the finest compliment I have ever been paid in my life by one of the finest men it has ever been my privilege to meet.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—131

Agnew,	Gailey,	Machmer,	Rudisill,
Anderson,	Gallagher,	Maxwell,	Sakulsky,
Arlene,	Gelfand,	Mihm,	Scarcelli,
Balthaser,	Gibb,	Mills,	Schaaf,
Boles,	Goldstein,	Monroe,	Schuster,
Bonner,	Hamilton,	Muldowney,	Schwartz,
Bower,	Heavey,	Mullen,	Seltzer,
Bowman,	Heffner,	Munley,	Sherman,
Branca,	Holt,	Murphy, A. J., Jr.,	Shupnik,
Breth,	Irvis,	Murphy, P. J.,	Silverman,
Burns,	Jenkins,	Murray, J. J.,	Snare,
Capano,	Jim,	Murray, P. G.,	Snider,
Capitolo,	Johnson, A. W.,	Musto,	Stank,
Cianfrani,	Jones, F. R.,	Needham,	Stewart,
Clarke,	Jump,	Nelson,	Stone,
Comer,	Kamyk,	O'Dell,	Taylor,
Crossin,	Kessler,	O'Donnell, J. A.,	Truslo,
Dennis,	Knecht,	O'Donnell, J. P.,	Varallo,
Devlin,	Kornick,	Ogilvie,	Verona,
Donaldson,	Korns,	O'Neil,	Walsh,
Dougherty,	Kovolenko,	Parlante,	Wargo,
Eilberg,	Kubitsky,	Perry, H. H.,	Welsh,
Eshback,	Lamb,	Perry, P. E.,	Wheeler,
Eshleman,	Leonard,	Petrosky,	Whittaker,
Farabaugh,	Limper,	Polaski,	Williams, A. D., Jr.,
Filo,	Lopresti,	Polen,	Williams, E. S.,
Fineman,	Luigard,	Prendergast,	Wilt,
Floyd,	Lutty,	Reibman,	Wood,
Flynn,	McCann,	Reidenbach,	Worley,
Foerster,	McCormack,	Renwick,	Yatron,
Fox,	McDonald,	Rigby,	Yetter,
Frank,	McInroy,	Riley,	Andrews,
Frascella,	McLaughlin,	Rovanssek,	Speaker

#### NAYS—66

Ashton,	Fetterolf,	Kooker,	Price,
Auker,	Fulmer,	Lee, A. M.,	Pursley,
Barton,	George,	Light,	Royer,
Bell,	Goodrich,	Lippincott,	Steckel,
Blair,	Gramlich,	McCandless,	Stimmel,
Boris,	Guthrie,	McKeever,	Stoner,
Brenninger,	Helm,	Mahan,	Stroup,

Brown,  
Buchanan,  
Curwood,  
Davis,  
Dengler,  
Dennison,  
Donahue,  
Down,  
Edwards,  
Ewing,

Henzel,  
Hocker,  
Holliday,  
Horst,  
Isaacs,  
Johnson, R.,  
Jones, T. H. W.,  
Kee,  
Kelser,  
Kernaghan,

Markley,  
Meholchick,  
Merry,  
Miller, B. Z.,  
Miller, H. G.,  
Murray, H. P.,  
Naugle,  
Odorisio,  
Pashley,

Tompkins,  
Ujobai,  
Varner,  
Wall,  
Weidner,  
Wescott,  
Willaredt,  
Wynd,  
Zimmerman,

#### NOT VOTING—11

Cioffi,  
Cooper,  
Garlock,

Lee, K. B.,  
Magee,  
Moran,

Stevens,  
Strausser,  
Sullivan,

Thompson,  
Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 325, Printer's No. 999,  
House Bill No. 900, Printer's No. 1193,  
House Bill No. 953, Printer's No. 1083,  
House Bill No. 1018, Printer's No. 1086,  
House Bill No. 1059, Printer's No. 764,  
House Bill No. 1122, Printer's No. 1235,  
House Bill No. 1148, Printer's No. 1144 and  
House Bill No. 1336, Printer's No. 1194

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1376 entitled:

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of forestry conservation camps \*\*\* and for the rehabilitation and training of male youth \*\*\*" authorizing the acceptance and return of certain juveniles as campers and providing for reimbursement by the county for expenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally

Mr. McCANN. Mr. Speaker, on House Bill 1376, yesterday I furnished to the Minority Leader, Mr. Johnson, a thorough explanation of the bill, but for the record the following questions can be answered very quickly.

It does not cost one penny more in any county by the County Commissioners of that county than they now pay and could possibly cost less. For example, the individuals that are sent to the various courts, to the Pennsylvania Training School at Morgantown and from there on sent to the Forestry Camps, the present law provides that the County Commissioners of the respective county from which the individual has been sent to the Pennsylvania Training School, pick up the cost of that individual according to the billing sent to the respective county, the County Commissioners office.

House Bill 1376 really could do two things. At the present time the basic law does not provide that the county pays only 50 percent when the individual is sent to the Pennsylvania Training School, but this bill does provide that when they are sent to the Forestry



Camp it would be 50 percent, although the billing has only been on an average of 50 percent to the individual counties.

This would help in the administration end and in the bookkeeping of the respective charge to the counties. It would not cost one cent more than any county is now paying on any individual that they have there in their charge.

I believe yesterday I furnished the answers to these questions to Mr. Johnson, and I believe that the bill is a very good bill and deserves the support of the entire House.

Mr. TOMPKINS. When this bill was called up, the Minority Leader was busy elsewhere and did not realize that it was being called up. It is true that the Majority Leader furnished Mr. Johnson with a statement of reviewing this bill yesterday, but it would be better if we had an opportunity to discuss this matter with this information in our caucus.

For that reason I would request that this bill be passed over for today until such time as we have an opportunity to caucus on it.

Mr. McCANN. Mr. Speaker, I did not understand that to be the fact. If that is the fact, I shall certainly consent to the bill being passed over. I apologize, then.

The SPEAKER. The Chair suggests that the bill be placed on the final passage postponed calendar, since it has already passed third reading. The Chair will entertain such a motion.

On the question recurring,  
Shall the bill pass finally?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1405, entitled:

An Act amending the act of April 6, 1951 (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed \* \* \*" authorizing legal action to restrain or prohibit the establishing conducting or operating of institutions subject to supervision by such departments in violation of rules and regulations.

Mr. BOWMAN. Mr. Speaker, this bill purports to grant an additional remedy and power, or give to the Department of Welfare or Health, as the case might be, an additional remedy against those persons who have apparently or presumably violated a rule or regulation of the Department. With that I have no argument.

However, I also detect, I believe, a gleam in this legislation, an attempt on the part of the Commonwealth to obtain more power and perhaps more jurisdiction over our county institution districts and county institutions. If that is the case, and after carefully reading the bill, I am unable to determine in my own mind the purpose and extent of the provisions of the bill, if that is the purpose of this bill, to grant to the Department of Health or Welfare, as the case might be, power over county

institution districts which they do not now enjoy, I say the bill is deceptive; I say the bill does not clearly so state, and I say it is bad legislation.

It is difficult, as I said before, for me to ascertain the purpose and intent of this bill. Now if that is not the purpose, and if that is not what this bill does, I would be willing to stand corrected, but if it is going to do what I presume and think it is going to do, then I think it is bad legislation and it should be voted down.

Mr. LOPRESTI. Mr. Speaker, I believe that the purpose as suggested by Mr. Bowman is correct. The Department now has the right to make certain rules and regulations, and of course, the institution district can, under the present law, choose to ignore certain regulations which are made by the Department.

I believe that there are other methods perhaps by which the Department could proceed against the institution district to accomplish their purpose. However it would be a cumbersome legal proceeding and this bill attempts to set up a proceeding whereby the Department can see that its regulations are enforced. If the Department is to have the right to regulate the institution district in certain matters, then certainly they should also have the right to have their regulations enforced, and this makes it possible for the Department to enforce their regulations without cumbersome legal proceedings. I think that is the purpose of the bill.

Mr. BOWMAN. I would like to interrogate the gentleman from Cambria, Mr. Lopresti.

The SPEAKER. Would the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. BOWMAN. Will the gentleman advise us under present law what power either the Department of Health or the Department of Welfare has to make regulations which would affect the operation of county institution districts?

Mr. LOPRESTI. I do not presently know, I mean I could not give the answer to that offhand but I am quite certain the departments have the right to go in and inspect the premises and to set up certain regulations for the inmates of certain institutions—the bed space and things of that sort—the number of patients that can be kept within a certain area. I think those rules are already set up by the department and those restrictions are placed on the institution district.

Mr. BOWMAN. Mr. SPEAKER. Is that power all-inclusive in scope? By that I mean, do they have power to promulgate rules and regulations with respect to all activity of county institutions and county institution districts?

Mr. LOPRESTI. I would not think so, no. However, this bill does not extend the power to regulate it as I view it, it merely gives the power to enforce what regulations they are able to make under existing laws. Of course, if they make no regulations under existing law then they would have nothing to go into court to enjoin or to enforce institution district to obey.

Mr. BOWMAN. I thank the gentleman.

That is precisely the problem with which we are confronted today. What are the powers of the department? In what fields do they have the power to promulgate rules and regulations? Without that knowledge I think



it is a dangerous thing to vote upon a bill concerning which we as a body have very little knowledge.

Mr. Lopresti has stated that it is only in those cases where they presently have rule making power that this bill would apply. Perhaps that is true, perhaps it is not true. Under those circumstances since we would like knowledge to intelligently vote upon this bill, I request that the bill be defeated.

Mr. BOIES. Mr. Speaker, the bill as I understand it, gives the department no more power to make rules and regulations than they already have and have had for some time. It merely gives them power to enforce the regulations.

I do not care whether it is a county institution or a municipal institution or a children's home or what it is in the way of an institution, if it is supervised by the state department they certainly have the right to enforce the supervision in the matter of health and safety, where they have the right now to promulgate rules and regulations. I think it is certainly incumbent upon the part of this House to give them the power to enforce them. I ask all the Members of this House to support this bill.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Lopresti.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Seaker.

Mr. TOMPKINS. Mr. Speaker, about a year or so ago, the Department of Welfare had quite a running fight with all the county commissioners in the state of Pennsylvania over the administration of certain of their programs. They went into their counties or otherwise called them into Harrisburg on the carpet and for a few other things.

Does this bill have its foundations in that particular difficulty at that time, that they want now to get injunctive power to compel those members of those institutions to comply or what is it?

Mr. LOPRESTI. Mr. Speaker, I cannot read into this anything other than what is written in it in the form of its amendment. I do not know what if anything prompted the department to ask for this particular legislation. However, the legislation itself, if you read the amended section, merely adds to the present law the following language: "any person copartnership, association, corporation or any county, county institution district or municipal association from establishing, conducting or operating any institution agency or activity which under the laws of this Commonwealth is subject to supervision by such department."

That presupposes that the department has the right to supervise, and if they have the right to supervise, then the department can enforce its regulations. What prompts it, I cannot answer. I cannot read anything into the bill because I am not familiar with that.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, I must then reiterate what the gentleman from Dauphin, Mr. Bowman said, that the information which we have is too uncertain and indefinite and the purpose they are trying to get at here is too uncertain and indefinite for us to intelligently pass upon this bill at this time.

Mr. MAXWELL. Mr. Speaker, and Members of the

House, this bill only extends to the departments the right to do what they are now doing, supervising the licensed institutions. They are doing it with licensed institutions now. This allows them to do so, to supervise unlicensed institutions and see that they carry out the same rules and regulations that the other institutions in the state are now doing. That is all the bill does.

The SPEAKER. The Chair recognizes the gentleman from Greene, the Majority Leader, Mr. McCann.

Mr. McCANN. Mr. Speaker, I listened to the gentleman from Cameron, Mr. Tompkins, and I would like to make a motion to place the bill on the postponed calendar to be able to answer his question definitely in the record.

The SPEAKER. By unanimous consent a motion can be entertained. The Chair hears no objection.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

BILL POSTPONED

Mr. McCann. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1456, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095) changing the provisions relating to backfill.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Anderson,	Foerster,	McCormack,	Rigby,
Arlene,	Frank,	McDonald,	Riley,
Balthaser,	Frascella,	McKeever,	Rovansek,
Blair,	Galley,	McLaughlin,	Rudisill,
Boris,	Gallagher,	Machmer,	Sakulsky,
Boles,	Garlock,	Maxwell,	Scarcelli,
Bonner,	Gelfand,	Meholchick,	Schaaf,
Branca,	Gibb,	Mihm,	Schuster,
Breth,	Goldstein,	Mills,	Schwartz,
Burns,	Guthrie,	Monroe,	Sherman,
Capano,	Hamilton,	Muldowney,	Shupnik,
Capitolo,	Heavey,	Munley,	Silverman,
Cianfrani,	Heffner,	Murphy, A. J., Jr.,	Snider,
Cioffi,	Holt,	Murray, J. J.,	Stank,
Clarke,	Irlis,	Musto,	Steckel,
Comer,	Jenkins,	Needham,	Stevens,
Crossin,	Jim,	Nelson,	Stone,
Curwood,	Jones, F. R.,	O'Donnell, J. A.,	Taylor,
Dennis,	Jump,	O'Donnell, J. P.,	Trusio,
Dennison,	Kamyk,	O'Neil,	Varallo,
Devlin,	Knecht,	Parlante,	Verona,
Donahue,	Kornick,	Pashley,	Wargo,
Donaldson,	Kovolenko,	Perry, H. H.,	Welsh,
Dougherty,	Kubitsky,	Perry, P. E.,	Wheeler,
Edwards,	Lamb,	Petrosky,	Wilt,
Ellberg,	Leonard,	Polaski,	Worley,
Farabaugh,	Limper,	Polen,	Yatron,
Flio,	Lopresti,	Prendergast,	Yetter,
Fineman,	Lulgard,	Reibman,	Andrews,
Floyd,	Lutty,	Reidenbach,	Speaker
Flynn,	McCann,	Renwick,	



## NAYS—77

Ashton,	Helm,	McCandless,	Snare,
Auker,	Henzel,	McInroy,	Stewart,
Barton,	Hocker,	Magee,	Stimmel,
Bell,	Holliday,	Mahan,	Stoner,
Bower,	Horst,	Markley,	Strausser,
Bowman,	Isaacs,	Merry,	Stroup,
Brenninger,	Johnson, R.,	Miller, B. Z.,	Tompkins,
Buchanan,	Johnson, A. W.,	Miller, H. G.,	Ujobai,
Davis,	Jones, T. H. W.,	Murphy, P. J.,	Varner,
Dengler,	Kee,	Murray, H. P.,	Wall,
Down,	Keiser,	Murray, P. G.,	Weidner,
Eshback,	Kernaghan,	Naugle,	Wescott,
Eshleman,	Kessler,	O'Dell,	Whittaker,
Ewing,	Kooker,	Odorisio,	Williams, A. D., Jr.,
Fetterolf,	Korns,	Ogilvie,	Williams, E. S.,
Fox,	Lee, A. M.,	Price,	Willaredt,
Fulmer,	Lee, K. B.,	Pursley,	Wood,
George,	Light,	Royer,	Wynd,
Goodrich,	Lippincott,	Seltzer,	Zimmerman,
Gramlich,			

## NOT VOTING—9

Agnew,	Moran,	Sullivan,	Walsh,
Brown,	Mullen,	Thompson,	Willard,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1459, entitled:

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095) clarifying references to the Department of Mines and Mineral Industries and changing certain definitions and provisions relating to bonds fees and renewal of registration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—147

Anderson,	Frascella,	McCormack,	Riley,
Arlene,	Galley,	McDonald,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Royer,
Bell,	Garlock,	McLaughlin,	Rudisill,
Blair,	Gelfand,	Machmer,	Sakulsky,
Boies,	Gibb,	Markley,	Scarcelli,
Bonner,	Goldstein,	Maxwell,	Schaaf,
Boris,	Goodrich,	Meholchick,	Schuster,
Bowman,	Guthrie,	Mihm,	Schwartz,
Branca,	Hamilton,	Mills,	Sherman,
Breth,	Heavey,	Monroe,	Shupnik,
Burns,	Heffner,	Muldowney,	Silverman,
Capano,	Hocker,	Munley,	Snider,
Capitolo,	Holt,	Murphy, A. J., Jr.,	Stank,
Cianfrani,	Horst,	Murphy, P. J.,	Steckel,
Cioffi,	Irviss,	Murray, J. J.,	Stevens,
Clarke,	Isaacs,	Musto,	Stewart,
Comer,	Jenkins,	Needham,	Stimmel,
Crossin,	Jim,	Nelson,	Stone,
Curwood,	Jones, F. R.,	O'Donnell, J. A.,	Taylor,
Dengler,	Jones, T. H. W.,	O'Donnell, J. P.,	Tompkins,
Dennis,	Jump,	Odorisio,	Trusio,
Dennison,	Kamyk,	Ogilvie,	Varallo,
Devlin,	Keiser,	O'Neill,	Varner,
Donahue,	Kernaghan,	Parlante,	Verona,
Donaldson,	Kessler,	Pashley,	Wargo,
Dougherty,	Knecht,	Perry, H. H.,	Welsh,
Down,	Kornick,	Perry, P. E.,	Wheeler,
Edwards,	Kovolenko,	Petrofsky,	Whittaker,
Ellberg,	Kubitsky,	Polaski,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,

Fineman,	Limper,	Price,	Worley,
Floyd,	Lopresti,	Reibman,	Yatron,
Flynn,	Luigard,	Reidenbach,	Yetter,
Foerster,	Lutty,	Renwick,	Andrews,
Frank,	McCann,	Rigby,	Speaker

## NAYS—52

Ashton,	George,	Lippincott,	Seltzer,
Auker,	Gramlich,	McCandless,	Snare,
Barton,	Helm,	McInroy,	Stoner,
Bower,	Henzel,	Magee,	Strausser,
Brenninger,	Holliday,	Mahan,	Stroup,
Buchanan,	Johnson, A. W.,	Merry,	Ujobai,
Davis,	Johnson, R.,	Miller, B. Z.,	Wall,
Eshback,	Kee,	Miller, H. G.,	Weidner,
Eshleman,	Kooker,	Murray, H. P.,	Wescott,
Ewing,	Korns,	Murray, P. G.,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Naugle,	Willaredt,
Fox,	Lee, K. B.,	O'Dell,	Wynd,
Fulmer,	Light,	Pursley,	Zimmerman,

## NOT VOTING—9

Agnew,	Moran,	Sullivan,	Walsh,
Brown,	Mullen,	Thompson,	Willard,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1464, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of or property or operations located in states in which such insurers are not authorized to do business.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Agnew,	Frank,	Lutty,	Rigby,
Anderson,	Frascella,	McCandless,	Riley,
Arlene,	Fulmer,	McCann,	Rovansek,
Ashton,	Galley,	McCormack,	Royer,
Auker,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Blair,	Gibb,	Machmer,	Schuster,
Boies,	Goldstein,	Magee,	Schwartz,
Bonner,	Gramlich,	Mahan,	Seltzer,
Boris,	Guthrie,	Markley,	Sherman,
Bower,	Hamilton,	Maxwell,	Shupnik,
Bowman,	Heavey,	Meholchick,	Silverman,
Branca,	Heffner,	Merry,	Snare,
Brenninger,	Helm,	Mihm,	Snider,
Breth,	Henzel,	Miller, B. Z.,	Stank,
Brown,	Hocker,	Miller, H. G.,	Steckel,
Buchanan,	Holliday,	Mills,	Stevens,
Burns,	Holt,	Monroe,	Stewart,
Capano,	Horst,	Muldowney,	Stimmel,
Capitolo,	Irviss,	Mullen,	Stone,
Cianfrani,	Isaacs,	Munley,	Stoner,
Cioffi,	Jenkins,	Murphy, A. J., Jr.,	Strausser,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Taylor,
Crossin,	Johnson, R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, F. R.,	Murray, P. G.,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Ujobai,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Varner,
Dennison,	Kee,	Nelson,	Verona,

Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lulgard,	O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wilt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—4

Goodrich,	Renwick,	Wall,	Worley,
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## NOT VOTING—5

Cooper, Moran,	Sullivan,	Thompson,	Willard,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1465, entitled:

An Act providing for the regulation of credit life insurance and credit accident and health insurance conferring powers and imposing duties on the Insurance Commissioner and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANDLESS. Mr. Speaker, I oppose House Bill 1465 as being unfair to the independent small loan companies in Pennsylvania as well as against the public interest.

In Butler we have a local company, Community Finance Company, originally a part of the Community System, under which some 40 companies were organized in western Pennsylvania about 30 years ago. These were independent concerns locally owned with profits remaining in the home town. Today only seven out of forty such companies are in business. The others have been taken over by the large out-of-state concerns.

The Butler company continues. It serves the community well; its profits remain at home, and several hundred investors receive quarterly returns, this money remaining in the communities where we operate. Butler is one of only a few cities where a substantial part of the loan business is held by a local company. Over 900 small loan companies are licensed in Pennsylvania, for the most part now owned by chain companies whose profits go out of the state, never to return.

House Bill 1465 is sponsored by big interests, out-of-state. Confusion arises from the fact that credit life insurance is permitted on a group basis to cover commercial banks, finance companies and certain other lines where the dollar volume is huge. Such writing can be

done at much less cost than providing individual policies. Under the Small Loan Law of this state, separate policies are written for each customer, this entirely at his option. Small loans, as a rule, are renewed when partially paid. Refunds on insurance are then given and a new policy written. As compared to group writing, many detailed records are required both by the loan company and by the home office. This insurance is on a retail basis as compared with wholesale.

House Bill 1465 is skillfully written and contains regulations which, without question, seem designed to cripple the small loan operator. For instance, claims are to be paid only on a schedule basis. This means, in case of death, where the borrower owes, say \$300, and during the contract has missed four \$25 payments, settlement would then be for \$200 instead of \$300. The widow would feel short-changed. She would resent such handling, and this regulation alone could be a factor in not providing any insurance, due to the ill will created with customers.

It should be noted that Pennsylvania law forbids any charge to customers for insurance written on a group basis by a small loan company. Other disturbing and unfair provisions can be cited. Regardless of the qualifications of the Commissioner of Insurance, this bill vests authority in one man alone, and we have no assurance for the future under such an act. Basically, the principle of one-man control is not good.

As mentioned, this bill was written by out-of-state interests and introduced in Pennsylvania and elsewhere. It has been defeated in Maryland and Virginia. It is not in the public interest and should be defeated in Pennsylvania.

Mr. McCANN. Mr. Speaker, House Bill 1465 is a bill dealing with credit insurance. Now credit life insurance has risen to a position in United States economy which as of December 1958 amounted to a \$21 billion annual business.

There are 35 million policies issued for this insurance. Pennsylvania ranks fourth in the nation, first in the policies, and fourth in the amount carried. We speak only of credit life.

It can be safely stated that credit accident and health is of a somewhat equal volume, at least it can be said its total in the United States would exceed \$500 million.

All of the above is unregulated presently in Pennsylvania. Nineteen states in our Union have seen fit to adopt a regulatory statute, among which are New York, California, Illinois, New Jersey, Michigan, Wisconsin. This by the fact that only two years ago the N.A.I.C. worked and started the first legislation through the halls in their respective states.

What is credit life insurance and A and H business? Unlike life insurance there is not the competitive element which would serve to bring the rate down. This insurance is sold to a captive market in that it is available only to people who must borrow money. In many instances, these borrowers have no choice of the insurer and frequently do not even know they have the insurance. In this respect there is reverse competition, for the lending institutions will be inclined to sell that insurance to its borrowers whose rates are the highest in order to assure a great dividend or commission which is payable not to the borrower, but to the lending institution.

Who are the people who support this sound legislation?



The National Association of Insurance Commissioners, made up of the 50 insurance commissioners of the United States, the District of Columbia. In the past several years this body has worked with this problem and have model legislation which is recommended for passage for the purposes of regulation. House Bill 1465 is such a bill. It regulates. And, it has been acknowledged to be such a bill. Nineteen states writing approximately 40 percent of the contracts and 45 percent of the volume business in the United States have passed credit life A and H regulation statutes.

The United States Senate, through a duly designated committee, known as the Langer Committee, a subcommittee, has expressed its interest in this field of insurance and is keenly watching the states and what legislation they are passing to regulate this phase of insurance. The overwhelming majority of stock and mutual insurance companies in Pennsylvania, both domestic and foreign, but all of whom are doing business in Pennsylvania, are for this legislation. The Pennsylvania Federation of Mutual Insurance Companies, the Insurance Federation of Pennsylvania, the Life Insurance Association, The American Life Convention, the Pennsylvania Credit Union League and many trade associates have indicated their preference for this legislation.

Those who are opposed to the bill pass literature through the Halls of this House and they pass it without any signatures on the legislation. I submit that those who are responsible for this literature certainly have no authority to speak for the associations named at the end of their literature for you have been informed that that literature does not carry their approval. It is obvious that those opposed to it are certainly a small group of opponents, for if they care to be identified in person they would have signed their names and indicated so.

I would like to say that some of the opponents, from the statements I have indicated and shown, would bring us a little situation that would certainly bear to bring to light. Let us see what this looks like on a big scale, reading from Best's life insurance report of 1959 and we checked carefully the official report on page 21. There it lists the Alenco Life Insurance Company, incorporated and licensed to do business in Indiana in 1953. Capital in 1953, \$200,000, par value of stock \$100, number of shares 2,000. This is 1953.

This official insurance report will show that all the stock is owned by a banking firm, the company confines its operation to credit life insurance. With a capital of \$200,000 in 1953, in 1958, from the official report, it has paid to its 2,000 share stockholders a dividend of \$9 million and still has a surplus of \$13.5 million for future distribution to stockholders. This is from \$200,000, an investment of 2,000 shares in 1953. How nice it would have been to have one share of that Which is unregulated life insurance.

Here in Pennsylvania, in House Bill 1465, we are attempting to give to the Commissioner of Insurance, and I ask who else would you give it to but the man who is responsible for the operation of insurance in the Commonwealth, a right to regulate, and regulate what? The fees and rates of credit life insurance. If this is such a small business in Pennsylvania, let us look at what the official insurance reports of some of our major companies in Pennsylvania say. We have the 1958 official reports of the respective credit life companies in Pennsylvania. Let

us say that the gross premiums for example in one reliable concern would indicate that they had \$6.459 million of gross premiums. They had losses in the same year of \$1.261 million. The report indicates and is attested to that this company paid in commissions that year \$3.890 million. On a business of \$6 million, a loss of \$1 million, commissions of almost \$4 million. That rate had to be a pretty good rate to pay that.

Let us say that the other major companies are in the same field and find that their reports bear out the official reports filed with the Insurance Commission and the Insurance Commissioner of Pennsylvania and show that these companies charge the rates they see fit to charge. There is no law in the Commonwealth that regulates them at the present time. There is no law in which anyone can regulate them in Pennsylvania at the present time.

House Bill 1465 does simply this: it grants to the Insurance Commissioner a right to regulate and that he should do. I am confident that the people of Pennsylvania want to give the Commissioner the right to regulate this insurance. All of us who are business people know that when we invest money we want the company to make money. That we agree to and that we want. But, I do not think any of us want to disagree that because those people who borrow and then buy this insurance should not pay a fair price of a premium for the insurance, but they should never be forced to pay any premiums of a type which would grant commissions far in excess of any natural profit that should be made by a company. For this they must pay themselves, as they pay the payments back on their home, their automobile, their furniture, or whatever they may have borrowed the money for.

Mr. Speaker, this is some of the soundest legislation that we will have an opportunity to pass in this House in this Session, not in an attempt to destroy anyone, nor in an attempt to destroy any company in any way, but only to grant to the Insurance Commissioner the right to regulate so that the people who borrow the money, and have to borrow it, will pay a fair and decent rate for the insurance which will support their loan, which is a part of their natural monthly payments.

Mr. Speaker, I ask that all of the Members of this House vote favorably on this legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—174

Agnew,	Frank,	Lutty,	Sakulsky,
Anderson,	Frascella,	McCann,	Scarcelli,
Arlene,	Gailey,	McCormack,	Schaaf,
Auker,	Gallagher,	McDonald,	Schuster,
Balthaser,	Garlock,	McKeever,	Schwartz,
Barton,	George,	McLaughlin,	Seltzer,
Blair,	Gibb,	Machmer,	Sherman,
Boles,	Goldstein,	Maxwell,	Shupnik,
Bonner,	Gramlich,	Meholchick,	Silverman,
Boris,	Guthrie,	Mihm,	Snider,
Bower,	Hamilton,	Miller, H. G.,	Stank,
Bowman,	Heavey,	Mills,	Steckel,
Branca,	Heffner,	Monroe,	Stevens,
Brenninger,	Helm,	Muldoney,	Stewart,
Breth,	Henzel,	Mullen,	Stimmel,
Brown,	Hocker,	Munley,	Stone,
Buchanan,	Holt,	Murphy, A. J., Jr.,	Stoner,
Burns,	Irviss,	Murphy, P. J.,	Stroup,
Capano,	Isaacs,	Murray, H. P.,	Taylor,
Capitolo,	Jenkins,	Murray, J. J.,	Tompkins,
Cianfrani,	Jim,	Murray, P. G.,	Trusso,
Cioffi,	Johnson, A. W.,	Musto,	Ujohal,



Clarke,	Johnson, R.,	Naugle,	Varallo,
Comer,	Jones, F. R.,	Needham,	Varnier,
Crossin,	Jones, T. H. W.,	O'Donnell, J. A.,	Verona,
Curwood,	Jump,	O'Donnell, J. P.,	Wall,
Davis,	Kamyk,	Odorisio,	Wargo,
Dengler,	Kee,	Ogilvie,	Weidner,
Dennis,	Keiser,	O'Neill,	Welsh,
Dennison,	Kernaghan,	Parlante,	Wescott,
Devlin,	Kessler,	Pashley,	Wheeler,
Donaldson,	Knecht,	Perry, H. H.,	Williams, A.D., Jr.,
Dougherty,	Kornick,	Perry, P. E.,	Williams, E. S.,
Down,	Korns,	Petrosky,	Willaredt,
Edwards,	Kovolenko,	Polaski,	Wilt,
Eilberg,	Kubitsky,	Polen,	Wood,
Eshleman,	Lamb,	Prendergast,	Worley,
Ewing,	Lee, K. B.,	Reibman,	Wynd,
Farabaugh,	Leonard,	Reidenbach,	Yatron,
Fetterolf,	Light,	Rigby,	Yetter,
Filo,	Limper,	Riley,	Zimmerman,
Fineman,	Lippincott,	Rovasek,	Andrews,
Flynn,	Lopresti,	Royer,	Speaker
Foerster,	Luigard,	Rudisill,	

## NAYS—29

Ashton,	Goodrich,	Magee,	Price,
Bell,	Holliday,	Mahan,	Pursley,
Donahue,	Horst,	Markley,	Renwick,
Eshback,	Kooker,	Merry,	Snare,
Floyd,	Lee, A. M.,	Miller, B. Z.,	Strausser,
Fox,	McCandless,	Nelson,	Walsh,
Fulmer,	McInroy,	O'Dell,	Whittaker,
Gelfand,			

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1467, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act," approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act and providing for a uniform classification of accounts and records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Agnew,	Frascella,	Lutty,	Renwick,
Anderson,	Fulmer,	McCann,	Rigby,
Arlene,	Galley,	McCormack,	Riley,
Auker,	Gallagher,	McDonald,	Rovasek,
Balthaser,	Garlock,	McKeever,	Royer,
Bell,	Gelfand,	McLaughlin,	Rudisill,
Blair,	George,	Markley,	Sakulsky,
Boles,	Gibb,	Maxwell,	Scarcelli,
Bonner,	Goldstein,	Meholchick,	Schaaf,
Boris,	Gramlich,	Mihm,	Schuster,
Bowman,	Guthrie,	Miller, H. G.,	Schwartz,
Branca,	Hamilton,	Mills,	Sherman,
Brenninger,	Heavy,	Monroe,	Shupnik,
Breth,	Heffner,	Muldowney,	Silverman,
Brown,	Helm,	Mullen,	Snider,
Burns,	Henzel,	Munley,	Stank,
Capano,	Hocker,	Murphy, A.J., Jr.,	Steckel,
Capitolo,	Holliday,	Murphy, P. J.,	Stevens,
Cianfrani,	Holt,	Murray, H. P.,	Stewart,
Cioffi,	Irvis,	Murray, J. J.,	Stimmel,
Clarke,	Isaacs,	Murray, P. G.,	Stone,

Comer,	Jenkins,	Musto,	Stoner,
Crossin,	Jim,	Naugle,	Taylor,
Curwood,	Johnson, R.,	Needham,	Truslo,
Dengler,	Jones, F. R.,	Nelson,	Ujobai,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Varallo,
Dennison,	Jump,	O'Donnell, J. P.,	Varnier,
Devlin,	Kamyk,	Odorisio,	Verona,
Donahue,	Kee,	Ogilvie,	Walsh,
Donaldson,	Kernaghan,	O'Neill,	Wargo,
Dougherty,	Kessler,	Parlante,	Welsh,
Down,	Knecht,	Pashley,	Wheeler,
Eilberg,	Kornick,	Perry, H. H.,	Whittaker,
Eshleman,	Korns,	Perry, P. E.,	Williams, A.D., Jr.,
Ewing,	Kovolenko,	Petrosky,	Williams, E. S.,
Farabaugh,	Kubitsky,	Polaski,	Willaredt,
Fetterolf,	Lamb,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wynd,
Fineman,	Limper,	Price,	Yatron,
Floyd,	Lippincott,	Pursley,	Yetter,
Flynn,	Lopresti,	Reibman,	Andrews,
Foerster,	Luigard,	Reidenbach,	Speaker
Frank,			

## NAYS—35

Ashton,	Horst,	Machmer,	Stroup,
Barton,	Johnson, A. W.,	Magee,	Tompkins,
Bower,	Keiser,	Mahan,	Wall,
Buchanan,	Kooker,	Merry,	Weidner,
Davis,	Lee, A. M.,	Miller, B. Z.,	Wescott,
Edwards,	Lee, K. B.,	O'Dell,	Wood,
Eshback,	Light,	Seltzer,	Worley,
Fox,	McCandless,	Snare,	Zimmerman,
Goodrich,	McInroy,	Strausser,	

## NOT VOTING—5

Cooper,	Sullivan,	Thompson,	Willard,
Moran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

The SPEAKER. If there are no objections, all bills on the calendar that were not acted upon today, will go over in their order.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Mrs. VARALLO, Messrs. GAILEY, STEVENS and GOLDSTEIN. HOUSE BILL No. 2289.

An Act relating to licensing of persons engaged in auctioneering in the Commonwealth, conferring powers and imposing duties on the Department of State, requiring licensure; providing for the granting, suspension and revocation of licenses; providing for the keeping of records and the inspection thereof, imposing civil liabilities, repealing certain inconsistent laws and providing penalties.

Referred to the Committee on Professional Licensure.

By Messrs. GELFAND, SILVERMAN and McCORMACK. HOUSE BILL No. 2290.

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), imposing the tax in the proceeds of life insurance.

Referred to the Committee on Ways and Means.

By Messrs. GELFAND, SHERMAN and McCORMACK. HOUSE BILL No. 2291.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale of starter pistols to minors.

Referred to the Committee on Law and Order.



By Messrs. HEAVEY, BELL, COMER and  
KEE. HOUSE BILL No. 2292.

An Act requiring the marking of highways and inter-sections in the State Highway system and imposing duties on the Department of Highways.

Referred to the Committee on Highways.

By Mr. GALLAGHER. HOUSE BILL No. 2293.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in that borough.

Referred to the Committee on State Government.

By Messrs. PRICE and WILT. HOUSE BILL No. 2294.

An Act providing for the establishment of fireman pension, pension funds or pension annuities in boroughs, towns and townships and the regulation and maintenance thereof; providing for continuance of existing funds or transfer thereof to funds herein established; and prescribing rights of beneficiaries.

Referred to the Committee on State Government.

### REPORTS FROM COMMITTEE

Mr. SHERMAN from the Committee on Education, reported as amended, House Bill No. 893, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the limitations on contracts entered into by school boards.

Mrs. HENZEL from the Committee on Education, reported as amended, House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

Mr. WALSH from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 1572, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employes' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

Mr. AUKER from the Committee on Judiciary, reported as committed, House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

Mr. GOLDSTEIN from the Committee on Education, reported as committed, Senate Bill No. 219, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the incurrence of a temporary debt for construction or reconstruction of certain school building projects.

Mr. CAPANO from the Committee on Education, reported as committed, Senate Bill No. 530, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the Superintendent of Public Instruction to withhold appropriations from school districts and arrange payments to lending agencies in certain cases.

Mr. DONALDSON from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate Bill No. 772, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," increasing the limitations on appropriations which may be made for agricultural extension work.

Mr. DENGLER from the Committee on Education, reported as committed, Senate Bill No. 833, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the selection of supervising principals of joint organizations of school districts.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employes' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 219, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the incurrence of a temporary debt for construction or reconstruction of certain school building projects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 530, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the Superintendent of Public Instruction to withhold appropriations from school districts and arrange payments to lending agencies in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 772, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the limi-

tations on appropriations which may be made for agricultural extension work.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the selection of supervising principals of joint organizations of school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL NO. 492.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for semi-annual payments.

#### HOUSE BILL NO. 497.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) making the school at Cheyney at State Teachers' College in the first State Teachers' College District.

#### HOUSE BILL NO. 981

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing provisions relating to attending high schools in nonresident districts and to the payment of tuition.

#### HOUSE BILL NO. 1028.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

#### HOUSE BILL NO. 1224.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 23 acres more or less of land situate in Collier Township Allegheny County.

#### HOUSE BILL No. 1374.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) providing certain exemptions from taxation under the provisions of the act.

#### HOUSE BILL No. 1375.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17 1921 (P. L. 789) imposing restrictions upon payment or division of commissions.

#### HOUSE BILL No. 1389.

An Act amending "The Insurance Company Law of 1921" approved May 17 1921 (P. L. 682) changing provisions relating to non-forfeiture benefits and cash surrender values required in life insurance policies and providing for an age set-back in certain cases.

#### HOUSE BILL No. 1390.

An Act amending "The Insurance Department Act of

one thousand nine hundred and twenty-one" approved May 17 1921 (P. L. 789) further regulating the computation of the reserve liability of life insurance companies.

#### HOUSE BILL No. 1391.

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance \* \* \*" changing the premium basis for group policies.

#### HOUSE BILL No. 1721.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) extending the use of manufacturer's jobber's and dealer's registration plates.

#### HOUSE BILL No. 1818.

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019) changing the computation of time in certain respects.

#### HOUSE BILL No. 1819.

An Act amending the act of June 20, 1883 (P. L. 136) entitled "An act to regulate the computation of time under statutes rules orders and decrees of court and under charters and by-laws of corporations public and private" changing the computation of time in certain respects.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 280, 321, 814, 823, 824, 835, 879, 880, 881, 911, 939 and 984.

Amended House Bills returned for concurrence Nos. 163, 621, 1029, 1080, 1099, 1305 and 1881.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 605, 1453, 1684, 1689, 1809, 1878, 1889 and 1890.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg  
August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 605, Printer's No. 889, entitled "An Act authorizing the Department of Property and Supplies to convey a certain parcel of land situate in Bear Creek Township Luzerne County Pennsylvania in exchange for another parcel of land situate in Bear Creek Township County of Luzerne."

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1453, Printer's No. 881, entitled "An Act amending the act of June 23, 1931 (P. L. 932), entitled 'The Third Class City Code' further regulating contract procedures."

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:



I have the honor to inform you that I have this day approved and signed House Bill No. 1684, Printer's No. 883, entitled "An Act amending the act of April 29, 1959 (Act No. 32), entitled 'The Vehicle Code' by imposing a charge of five dollars (\$5.00) for each item of issue covered by each uncollectible check."

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1689, Printer's No. 1034, entitled "An Act amending the act of April 29, 1959 (Act No. 32), entitled 'The Vehicle Code' by requiring operators to obey traffic signals and signs and eliminating reference to 'through traffic.'"

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1809, Printer's No. 890, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Highways the Secretary of Public Welfare and the Governor to grant easements over certain lands situate in the Borough of Emsworth County of Allegheny."

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1878, Printer's No. 955, entitled "An Act amending the act of May 28, 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' providing a method of paying service increments from the pension fund to employes of the city after retirement."

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 1889, Printer's No. 971, entitled "An Act amending the act of June 1, 1959 (Act No. 77), entitled 'Public School Employes' Retirement Code of 1959,' providing for transfer among classes of membership and between retirement systems and for crediting of service and computation of benefits in cases of contributors making such transfers changing eligibility and service requirements for certain members eliminating State annuity reserve account number two and providing procedures for collection of employer contributions."

DAVID L. LAWRENCE.

August 4, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1890, Printer's No. 972, entitled "An Act amending the act of June 1, 1959 (Act No. 78), entitled 'State Employes' Retirement Code of 1959,' providing for transfer among classes of membership and between retirement systems and for crediting of service and computation of benefits in cases of contributors making such transfers deleting the limitation on size of State annuities changing service and eligibility requirements for certain members and changing the provisions relating to the effective date of superannuation retirement."

DAVID L. LAWRENCE.

## COMMITTEE MEETINGS

BOROUGHES, Mr. Filo, Chairman, Room 324, Wednesday, August 5, at 9:30 a.m.

GAME and CONSERVATION, Mr. Breth, Chairman, Room 323, Wednesday, August 5, at 9:30 a.m.

MINES and MINERAL INDUSTRIES, Mr. Rovanssek, Chairman, Room 131-E, Wednesday, August 5, at 9:30 a.m.

WELFARE, Mr. Kamyk, Chairman, Room 331, Wednesday, August 5, 9:30 a.m.

## ADJOURNMENT

Mr. HEFFNER. Mr. Speaker, I move that this House do now adjourn until Wednesday, August 5, 1959 at 9:00 a.m. EST.

The motion was agreed to, and (at 6:21 p.m. EST), the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, AUGUST 5, 1959.

No. 75.

## SENATE

WEDNESDAY, AUGUST 5, 1959.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. JOSEPH WITKOWSKI, Rector of St. Mary's Episcopal Church, Charleroi, offered the following prayer:

Let us pray.

Almighty God, Whose kingdom alone bringeth true peace to the earth, and from Whom alone cometh all counsel, wisdom, and understanding, we, Thine unworthy servants, here gathered together in Thy name, do most humbly beseech Thee to send down Thy heavenly wisdom from above, to direct and guide us in all our consultations.

Grant that having Thy fear always before our eyes, and laying aside all private interests, prejudices, and partial affections, the result of all our counsels may be to the glory of Thy blessed Name, the maintenance of Thy true religion and justice, the restoration of industrial stability, the public wealth, peace and tranquility of this Commonwealth, and the uniting and knitting together of the hearts of all persons and estates within the same, in true love and charity, one toward another, to Thy honor and glory, Who livest and reignest, God over all. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

### NOMINATION BY THE GOVERNOR

#### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

August 5, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ronald Edward Welton (Democrat), 227 Front Street, Franklin, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. F. J. Kaltenbach, Oil City, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

August 5, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Susan E. Kiess (Republican), R. D. 1, Muncy, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Mary S. Sharpless, Williamsport, whose term expired.

DAVID L. LAWRENCE.

### HOUSE MESSAGES

#### SENATE BILL No. 345 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 345, entitled:

An Act amending the act of July 25, 1913 (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women; . . ." requiring sheriffs to transport women prisoners to the Industrial Home.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

#### SENATE BILL No. 513 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 513, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," increasing the



amount that cemetery and burial corporations must set apart for perpetual care and preservation of the grounds and buildings.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

#### SENATE BILL No. 579 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 579, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An Act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," further regulating pension rights.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 322, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744), prohibiting discrimination in the selling, leasing or financing of commercial housing and discrimination in places of public accommodation, resort or amusement because of race, color, religious creed, ancestry or national origin, and changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Civil Rights Commission.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1456, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), changing the provisions relating to backfill.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1459, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), clarifying references to the Department of Mines and Mineral Industries and changing certain definitions and provisions relating to bonds, fees and renewal of registration.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1464, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting, in certain cases, domestic insurers from insuring the lives or persons of residents of, or property or operations located in, states in which such insurers are not authorized to do business.

Which was committed to the Committee on Insurance.

House Bill No. 1465, entitled:

An Act providing for the regulation of credit life insurance and credit accident and health insurance; conferring powers and imposing duties on the Insurance Commissioner; and prescribing penalties.

Which was committed to the Committee on Insurance.

House Bill No. 1467, entitled:

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act," approved June 11, 1947 (U. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act, and providing for a uniform classification of accounts and records.

Which was committed to the Committee on Insurance.

House Bill No. 1892, entitled:

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; \* \* \*" giving the court jurisdiction in the trial of indictments for arson and burglary.

Which was committed to the Committee on Judiciary

House Bill No. 1895, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), authorizing the bringing of informations for violations of the summary provisions of this act occurring on a highway dividing two municipalities before the nearest available magistrate in either one of said municipalities.

Which was committed to the Committee on Highways.

House Bill No. 1900, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744) prohibiting discrimination in employment because of membership in the National Guard or a reserve component of the armed services of the United States in certain cases.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1913, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting unnaturalized foreign-born residents to possess or control dogs.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1914, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), creating permits for the importing, possessing, propagating or selling or nutria, and providing for certain fees and penalties in connection therewith.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1919, entitled:

An Act enabling the department of procurement of cities of the first class to establish by resolution upon which it will award contracts for city printing.

Which was committed to the Committee on Local Government.

House Bill No. 1942, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

Which was committed to the Committee on Education.

House Bill No. 1953, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing that the auditors' report shall be filed by the auditors.

Which was committed to the Committee on Local Government.

House Bill No. 1954, entitled:

An Act lapsing certain unencumbered balances of appropriations made from the Motor License Fund to the Department of Highways in the act of September 3, 1955 (Appropriation Act No. 18-A).

Which was committed to the Committee on Appropriations.

House Bill No. 1979, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), requiring county election boards to submit additional reports with respect to registered electors.

Which was committed to the Committee on Elections.

House Bill No. 1981, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

Which was committed to the Committee on Elections.

House Bill No. 1999, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further providing for the trapping of beaver.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 2002, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the name of township supervisors to commissioners and further providing for their compensation.

Which was committed to the Committee on Local Government.

House Bill No. 2003, entitled:

An Act amending "The Administration Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to grant rights of way over State park lands.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 2008, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), authorizing third class cities to create historic districts within their geographical limits.

\* \* \*

Which was committed to the Committee on Local Government.

House Bill No. 2009, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further providing for the regulation of parking lots.

Which was committed to the Committee on Local Government.

House Bill No. 2011, entitled:

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364) further regulating the issuance of certificates of authority to foreign business corporations.

Which was committed to the Committee on Corporations.

House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons, partnerships and certain unincorporated associations; making certain acts relating thereto unlawful and prescribing penalties.

Which was committed to the Committee on Corporations.

House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 of the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 2026, entitled:

An Act relative to Commonwealth printing; establishing conditions upon which contracts will be awarded; and prescribing remedies and penalties for noncompliance with such conditions.

Which was committed to the Committee on State Government.

House Bill No. 2079, entitled:

An Act repealing the act of June 27, 1939 (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; \* \* \*

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 2113, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for the appointment of tellers in certain cases and defining their powers and duties.

Which was committed to the Committee on Elections.

House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306), entitled "An act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs, in the county of Cameron, and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.



Which was committed to the Committee on Local Government.

House Bill No. 2138, entitled:

An Act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines, imposing duties upon lessors, lessees and operators of coal mines in regard thereto and repealing a prior act relating to the recovery of such bodies of workmen enclosed, buried or entombed in coal mines.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2162, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233) regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

Which was committed to the Committee on Local Government.

House Bill No. 2163, entitled:

An Act amending the act of May 3, 1933 (P. L. 242) entitled "An act to promote for the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture . . ." permitting schools of beauty culture to make certain reasonable charges in clinical work.

Which was committed to the Committee on Education.

House Bill No. 2201, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), further regulating obscene exhibitions.

Which was committed to the Committee on Law and Order.

House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

Which was committed to the Committee on Appropriations.

House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

Which was committed to the Committee on Appropriations.

House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

Which was committed to the Committee on Law and Order.

HOUSE CONCURS IN SENATE BILL No. 405

He also returned to the Senate, Senate Bill No. 405, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting certain business activities on Sunday.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 444

He also returned to the Senate, Senate Bill No. 444, entitled:

An Act amending the act of June 25, 1913 (P. L. 551), entitled "An Act to authorize incorporated or unincorporated churches, cemeteries, or burial associations, owning burial-grounds located wholly or in part in any city, township, or borough of this Commonwealth, to purchase other grounds, and to sell and convey in fee simple such portions of their land, not used or conveyed by them for burial purposes, or which may have been reconveyed to them or shall have reverted or become acquired by them, under the terms hereof, or otherwise; . . ." further regulating the change of location of burial-grounds or portions thereof, and removal of bodies by court order.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 771

He also returned to the Senate, Senate Bill No. 771, entitled:

An Act amending the act of May 11, 1889 (P. L. 188), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further regulating the rates of pilotage.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 784

He also returned to the Senate, Senate Bill No. 784, entitled:

An Act amending the act of December 27, 1951 (P. L. 1793), entitled "Liquified Petroleum Gas Act," increasing the registration fees in certain cases, providing for a method of inspection of installations, and requiring the maintenance of certain records.

with the information that the House has passed the same without amendments.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 405, Printer's No. 670;  
Senate Bill No. 444, Printer's No. 478;  
Senate Bill No. 771, Printer's No. 880; and  
Senate Bill No. 784, Printer's No. 893.

CALENDAR

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 170, Printer's No. 1053, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR  
OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that all bills on today's Third Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 141, Printer's No. 489, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,  
The Senate proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law authorizing the investigation thereof and prescribing the procedure therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REMAINING BILLS ON SECOND READING  
CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. BERGER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Appropriations, reported as committed, House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

BILL ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of the bills just reported from committee for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. BERGER. Mr. President, I now yield to the gentleman from Cumberland, Senator Wade.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I want to first thank Senator Berger for so graciously yielding the floor. I would like to make a short statement, with the permission of the Presiding Officer and the large number present.

Mr. President, the current visit of Vice-President Nixon to the Soviet Union holds the attention of officials at all levels here and in Washington and throughout the nation. Almost without exception, regardless of political identity, Administration and official leaders everywhere have spoke in glowing terms of the success achieved by our young Vice-President in meeting one challenging situation after another.

Almost from the moment Mr. Nixon stepped from his plane in Moscow, he has been confronted with provocations of one form or another.

His initial reception was described by the news media as purposely cool—virtually indicating that he and Mrs. Nixon were unwelcome guests. During subsequent days, including the now famous public debate with Premier Khrushchev, the official attempts to ridicule Vice-President Nixon, and through him the United States, have become even more obvious.

Whether by the coarse boasts and threats of Khrush-



chev, or the campaign of untruths by the Soviet press and radio, or the efforts even to disrupt Mrs. Nixon's meetings with groups of children, the Communists have sought to try the patience of the Vice-President, perhaps to induce him to say things which could be made to reflect unfavorably upon the United States, and otherwise complicate and destroy the effectiveness of his mission.

Every American has a right to be proud of the manner in which Vice-President Nixon has conducted himself in the face of these contrived difficulties. He has approached each situation with candor as well as good humor, and has displayed a commendable degree of self-restraint in the face of what I am sure have been tempting opportunities to reciprocate in kind.

His adept handling of this possibly most difficult assignment of his public life has won for the Vice-President the approval of leading figures, both public and private, in all parts of the free world.

Possibly the most significant development of all, however, is the apparent warm welcome Mr. and Mrs. Nixon are receiving from the Russian people, as distinguished from their Communist masters. In spite of the bitter propaganda and the other hindrances cited above, the news reports indicate that Soviet citizens are rallying increasingly to the Vice-President as a symbol of a nation—the United States—which they admire and perhaps hope to emulate when they have the chance someday. It would appear from the warm receptions the Nixon party has been accorded in recent days by Russian crowds that a large reservoir of genuine good will for America may exist behind the Iron Curtain in the Soviet Union itself.

Likewise, his warm reception in Poland and the great ovations given him and his party in that country, and the heartwarming atmosphere created by his entire trip is the most encouraging break in the cold war that has occurred in many, many years.

In any case, the effective ways in which the Vice-President has stated the case for freedom during the course of his trip is one more factor which speaks well for his elevation to a higher responsibility next year. I am hopeful that his Party, which is my Party, will recognize the qualifications which so befit him.

Once again, the entire world can look with hope and confidence in the future, that their sons and daughters may live in peace because of the visit of this outstanding American.

### RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 12:00 o'clock m., Eastern Standard Time.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 12:00 o'clock, m., Eastern Standard Time.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being in-

troduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

#### TIME OF NEXT MEETING

In the Senate, August 3, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 10, 1959 at TWO o'clock P. M., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 10, 1959 at THREE-THIRTY o'clock P. M., E. S. T.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1690

He also presented extract from the Journal of the House of Representatives, which was read as follows, considered and agreed to:

In the House of Representatives, July 29, 1959.

Resolved (if the Senate concur), That House Bill No. 1690, Printer's No. 1031, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 492, Printer's No. 163;  
House Bill No. 497, Printer's No. 167;  
House Bill No. 981, Printer's No. 290;  
House Bill No. 1028, Printer's No. 556;  
House Bill No. 1224, Printer's No. 385;  
House Bill No. 1374, Printer's No. 902;  
House Bill No. 1375, Printer's No. 631;  
House Bill No. 1389, Printer's No. 633;  
House Bill No. 1390, Printer's No. 634;  
House Bill No. 1391, Printer's No. 635;  
House Bill No. 1721, Printer's No. 875;  
House Bill No. 1818, Printer's No. 804; and  
House Bill No. 1819, Printer's No. 805.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, August 10, 1959 (at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:45 o'clock, p. m., Eastern Standard Time, until Monday, August 10, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 5, 1959

The House met at 9:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou great Eternal God and Father of us all, in the midst of the turbulent problems of life we turn to Thee for the peace and calm which only Thou canst give. Be with each one we humbly pray. Where there is discord or dissention, help us to sow the seeds of reconciliation; where there is chaos or confusion, enable us to restore order; where there is doubt or fear inspire us to instill faith; where there is trouble, trial or testing, extend through us Thy mercy and understanding sympathy; where there is a need of Thee and Thy power, use us to show by example Thy care and concern; and where there is any obligation, make it a privilege and grant us Thy grace so that we may share Thy love with all mankind. In the name of the blessed Trinity: Father, Son, and Holy Ghost. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, August 4, 1959 will be postponed until printed.

The Chair hears none.

INTRODUCTION OF MAJOR GENERAL  
HERBERT J. VANDER HEIDE

Mr. BELL. Mr. Speaker, ladies and gentlemen of the House, at this time I am honored to present to the House of Representatives Major General Herbert J. Vander Heide, Commanding General, 21st United States Army Corps, to receive in person the resolution of commendation we passed last week.

That is a rather cold presentation, and I would like to tell you more of the man you honored last week.

We have in Pennsylvania a Corps Headquarters of the United States Army. This Corps Headquarters administers the Reserve and ROTC for the states of Pennsylvania, Delaware, Maryland, Virginia and the District of Columbia. General Vander Heide is the Commanding General of this area. He has under his command 265,000 inactive reservists. He has under his command 35,000 paid, active ready reservists. So he actually commands 300,000 of the civilian soldiers. Out of this group there are over 100,000 inactive reservists in Pennsylvania commanded by the General, and he has over 22,000 Pennsylvania boys in the active reserve, in the paid reserve under his command. He actually is one of our first citizens, you might say, by adoption, because we in the reserve feel he is truly worthy to be called a Pennsylvanian.

Let me tell you the status of the Army Reserve when General Vander Heide came to Pennsylvania two years ago, around this time two years ago. We were like a fatherless child; we did not have the support, we did not have the care and we did not have the interest. But through his personal attention 22,000 of our citizens of Pennsylvania today have been welded into a very fine

reserve force. And let me tell you this, from the private to the general, this man they love, this man they respect, because he is a general who has always fought for his men.

It is with great honor, Mr. Speaker, that I present General Vander Heide to this House today to receive the resolution, which he justly deserves, for his distinguished service in Pennsylvania. I certainly hope those who come in the future will even match in the slightest degree his great leadership, and the great personal love shown to the men of Pennsylvania in the Reserve that General Vander Heide has shown to your neighbors and to my neighbors.

Mr. Speaker, I would like to present General Vander Heide.

## COMMITTEE APPOINTED

The SPEAKER. The Chair appoints the gentleman from Delaware, Mr. Bell, and the gentleman from Philadelphia, Mr. Scarcelli, to escort the General to the rostrum for the purpose of receiving the resolution which this House has passed.

The SPEAKER. General, because of your services you are one that this House delights to honor. We like you particularly because we are told you first learned to obey. In the lower echelons of the Army, by learning to obey, you learned how to command in commanding fashion.

For and on behalf of the Members of this House it is my pleasure, my privilege and my honor to present to you this resolution which only feebly expresses our appreciation of your services.

General, here is the resolution.

Members of the House, here is the General.

## REMARKS BY GENERAL VANDER HEIDE

GENERAL VANDER HEIDE. Mr. Speaker, Members of the House, nothing quite like this has happened to me before. I do not know what I have done to deserve this tribute. Our reservists have come a long way during the last two years, but most of their progress has been a result of their own efforts. I have placed on their shoulders additional responsibilities and given them greater command authority. They have accepted willingly this additional work load, and directed their units to a state of effectiveness that has never before been attained in our history.

The support by the people of Pennsylvania has contributed materially. Some of that support is the result of legislation passed in this room, but most of it I feel is because of a deep-rooted, traditional and heartfelt desire to support issues necessary for the preservation of our free country.

A few years ago there was a great difference in the standards between our three Army components; that is, between the regular Army, the National Guard, and our other reserve units. Today that is not true. All are organized along identical lines. All have the same objectives and are working in cooperation with each other toward those objectives. All are rapidly approaching the same state of readiness. All of our reserve units would be useful if war came tomorrow. This is especially true of the units in Pennsylvania.

Your 28th National Guard Division, commanded by



General Henry Fluck of Camp Hill, and the 79th Division, a Reserve Division, commanded by General "Hap" Frank of Harrisburg, are two of the best reserve combat divisions in the United States today.

I have many reasons for being grateful to the people of Pennsylvania. My tour has been a pleasant and satisfying one, but the nicest thing that happened to me is the tribute you pay me today. I am deeply appreciative. When I depart later this month for a new assignment, a good part of my heart will remain here.

### MRS. VANDER HEIDE WELCOMED

The SPEAKER. The Chair recognizes the charming helpmate of the General who has accompanied him and has favored us with her gracious presence.

### INVITATION TO VISIT INDIANTOWN GAP

The SPEAKER. The Chair desires to read an invitation from Major General Henry K. Fluck:

Pennsylvania's own 28th Division, Pennsylvania Army National Guard, invites all members of the General Assembly to come to Indiantown Gap either in groups or as individuals, as they may see fit. The Division is in camp this week and next week.

Governor's Day is Saturday, August 8th, at which time there will be the divisional parade, starting at 10:50 a. m. and lasting until about noon.

This is visitor's day for families of the Division and would be a fine time to meet families from back home.

Go to Division Headquarters, Building S-5116. The Military Police are on duty and the Guards will direct you to Division Headquarters."

As you know, members of the 28th Division come from all parts of the state and Members of the House who visit Indiantown Gap will have an opportunity to confer with some of the homefolks and perhaps you might be able to make a little political hay.

The invitation will be placed in the Members' post office boxes.

### BILLS INTRODUCED AND REFERRED

By Messrs. FRASCELLA and MULDOWNEY.

HOUSE BILL No. 2295.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing provisions concerning limitations of actions and proceedings by information and warrant and imposing costs for failure to appear in certain cases.

Referred to the Committee on Cities—Counties First Class.

By Messrs. CAPANO, LOPRESTI, WELSH and LEONARD.

HOUSE BILL No. 2296.

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), by increasing the rate of compensation.

Referred to the Committee on Rules.

By Messrs. CAPANO, LOPRESTI, WELSH and LEONARD.

HOUSE BILL No. 2297.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing compensation payable in certain instances, adding to

the list of injuries for which compensation is payable, changing procedures, clarifying certain terminology, modifying the periods of limitations and making an appropriation.

Referred to the Committee on Workmen's Compensation.

By Mr. A. D. WILLIAMS and Mrs. KOOKER.

HOUSE BILL No. 2298

An Act repealing section 4, act of April 22, 1794 (3 Sm. L. 177), entitled "An Act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation," to conviction on view and hearing for violating the prohibitions against wordly employment or business on Sunday.

Referred to the Committee on Rules.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 280.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the establishment and operation of classes for the instruction of school directors and providing compensation for mileage with certain limitations.

Referred to the Committee on Education.

#### SENATE BILL No. 321.

An Act amending the act of May 2, 1945 (P. L. 375), entitled, as amended, "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries, wages and other compensation payable out of the treasury of such cities from and after the first day of January one thousand nine hundred and forty-six of all public officers clerks and other public employes except the salaries of elected officers whose salaries are fixed by law," fixing the minimum salary for the register of wills.

Referred to the Committee on Cities—Counties First Class.

#### SENATE BILL No. 814.

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

Referred to the Committee on Banking and Building and Loan Associations.

#### SENATE BILL No. 823.

An Act amending the act of August 10, 1951 (P. L. 1163), entitled, as amended, "Orphans' Court Act of 1951," divesting the Orphan's Court of Philadelphia of jurisdiction over birth records and related matters and conferring such jurisdiction on the Municipal Court of Philadelphia if the person is a resident of Philadelphia.

Referred to the Committee on Judiciary.

#### SENATE BILL No. 824.

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . . further providing for the taking of exceptions of rulings of the trial judge.

Referred to the Committee on Judiciary.

## SENATE BILL No. 835.

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

Referred to the Committee on Welfare.

## SENATE BILL No. 911.

An Act amending the act of March 31, 1860 (P. L. 427), entitled "Criminal Procedure Act of 1860," further regulating setting prisoners at liberty on bail in counties of the second class.

Referred to the Committee on Judiciary.

## SENATE BILL No. 939.

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the annexation of cities and boroughs or parts thereof and the adjustment of indebtedness connected therewith.

Referred to the Committee on State Government.

## SENATE BILL No. 984.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring certain school districts to provide chaperons when transporting school children in certain cases.

Referred to the Committee on Education.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside temporarily.

Mr. HELM IN THE CHAIR.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. BROWN for today.

### REPORTS FROM COMMITTEE

Mrs. ANDERSON from the Committee on Welfare, reported as amended, House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare; abolishing certain existing boards, councils, commissions and committees; transferring powers from the State Council for the Blind to the Department of Public Welfare; and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

Mrs. MUNLEY from the Committee on Welfare, reported as amended, Senate Bill No. 143, entitled:

An Act amending the act of April 9 1929 (P. L. 177) entitled "The Administrative Code of 1929" defining in-

stitutions for adults and increasing the supervisory powers of the Department of Public Welfare.

Mr. MERRY from the Committee on Game and Conservation, reported as committed, House Bill No. 757, entitled:

An Act amending "The Game Laws" approved June 3, 1937 (P. L. 1225), enlarging the group of recipients of game illegally killed.

Mr. RILEY from the Committee on Game and Conservation, reported as committed, House Bill No. 1909, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the provision relating to trapping by nonresidents.

Mr. JIM from the Committee on Game and Conservation, reported as committed, House Bill No. 1911, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing time when license tag must be displayed.

Mr. FRANK from the Committee on Game and Conservation, reported as committed, House Bill No. 1912, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), removing provisions relating to archery preserves.

### BILL RE-REFERRED

Mr. ROVANSEK from the Committee on Mines and Mineral Industries, returned with the recommendation that it be re-referred to the Committee on Labor Relations, House Bill No. 2164, entitled:

An Act requiring the Department of Mines and Mineral Industries to fill and beautify abandoned quarries in counties of the 4th class under certain conditions; and making an appropriation.

The SPEAKER. The bill is re-referred to the Committee on Labor Relations.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 757 entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), enlarging the group of recipients of game illegally killed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1909 entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the provision relating to trapping by nonresidents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,



The House proceeded to the first reading and consideration of House Bill No. 1911 entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing time when license tag must be displayed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1912 entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), removing provisions to archery preserves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### RESOLUTION

#### RECALLING HOUSE BILL NO. 1690 FROM THE GOVERNOR

Mr PARLANTE offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, July 29, 1959.

Resolved (if the Senate concur), that House Bill No. 1690, Printer's No. 1031, entitled "An act amending the act of April 29, 1959 (Act No. 32) entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains and providing an exception for public utility vehicles under certain circumstances," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the name being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 492.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for estimated semi-annual payments.

#### HOUSE BILL No. 497.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), making the school at Cheyney at State Teachers' College in the First State Teachers' College District.

#### HOUSE BILL No. 981.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing provisions relating to attending high schools in nonresident districts and to the payment of tuition.

#### HOUSE BILL No. 1028.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

#### HOUSE BILL No. 1224.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 23 acres more or less of land situate in Collier Township Allegheny County.

#### HOUSE BILL No. 1374.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) providing certain exemptions from taxation under the provisions of the act.

#### HOUSE BILL No. 1375.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789) imposing restrictions upon payment or division of commissions.

#### HOUSE BILL No. 1389.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) changing provisions relating to non-forfeiture benefits and cash surrender values required in life insurance policies and providing for an age set-back in certain cases.

#### HOUSE BILL No. 1390.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789) further regulating the computation of the reserve liability of life insurance companies.

#### HOUSE BILL No. 1391.

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance \* \* \*" changing the premium basis for group policies.

#### HOUSE BILL No. 1721.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) extending the use of manufacturer's jobber's and dealer's registration plates.

#### HOUSE BILL No. 1818.

An Act amending the "Statutory Constitution Act" approved May 28, 1937 (P. L. 1019) changing the computation of time in certain respects.

#### HOUSE BILL No. 1819.

An Act amending the act of June 20, 1883 (P. L. 136) entitled "An act to regulate the computation of time under statutes rules orders and decrees of court and under charters and by-laws of corporations public and private" changing the computation of time in certain respects.

#### SENATE BILL No. 405.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting certain business activities on Sunday.

#### SENATE BILL No. 444.

An Act amending the act of June 25, 1913 (P. L. 551) entitled "An act to authorize the incorporated or unincorporated churches, cemeteries or burial associations owning burial-grounds located wholly or in part in any city, township or borough of this Commonwealth to purchase other grounds and to sell and convey in fee simple such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them under the terms hereof or otherwise \* \* \*," further regulating the change of location of burial-grounds or portions thereof and removal of bodies by court order.

## SENATE BILL No. 771.

An Act amending the act of May 11, 1889, (P. L. 188), entitled "A further supplement to an act entitled 'An act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes,' approved March twenty-nine one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots," further regulating the rates of pilotage.

## SENATE BILL No. 784.

An Act amending the act of December 27, 1951 (P. L. 1793), entitled "Liquid Petroleum Gas Act," increasing the registration fees in certain cases providing for a method of inspection of installations and requiring the maintenance of certain records.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 893, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the limitations on contracts entered into by school boards.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death \* \* \*.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1702, entitled:

An Act relating to State highways, roads and bridges and certain use thereof amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto \* \* \*.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health including mental illness, mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto," changing the procedures for the handling of patients' funds and repealing inconsistent laws.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2034, entitled:

An Act amending the Act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane feebleminded and other persons confined in the various institutions of the Commonwealth \* \* \*," further defining the liability of relatives and estates by the entireties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2210, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," increasing and fixing the salaries of certain county offices.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class," increasing the salaries of certain employees and county officers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the annual salaries of certain county officers in counties of the eighth class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199) entitled "An act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws" extending the provisions thereof to include political subdivisions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1335, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the powers and duties of the Department of Agriculture.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1597, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) requiring persons who distribute catalogs and other advertising material and by reason thereof accept orders for merchandise from residence of this Commonwealth to be licensed and file returns.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1637, entitled:

An Act amending the "Magistrates' Fee Bill of Cities of the First Class" approved July 13, 1953 (P. L. 447) by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1732, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" defining "school bus" granting a credit for certain suspensions to-

ward revocation penalties including motorcycles within the provisions relating to reflectors and reflective materials prohibiting amber lights on parked vehicles providing for enforcement of equipment requirements further defining the duty to stop in the event of an accident further providing for the time in which to bring certain actions further providing for certain appeals from orders or acts of the secretary and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MERRY offered the following amendment:

Amend Sec. 1, page 2, line 1, by striking out "(Act No. 32)" and inserting "(P. L. 58)".

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. MERRY offered the following amendment:

Amend Sec. 3 (Sec. 801), page 5, line 16, by striking out the brackets before and after "or amber".

It was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. MERRY offered the following amendments:

Amend Sec. 5, page 8, line 18, by inserting after "act" "subsection (a) of section 1201 amended July 13, 1959 (Act No. 150)".

Amend Sec. 5 (Sec. 1201), page 12, line 4, by striking out "and".

Amend Sec. 5 (Sec. 1201), page 12, line 4, by inserting after "(d)" "and 1218".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. MERRY offered the following amendments:

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting "(P. L. 58)".

Amend Title, page 2, first and second lines of Title, by striking out "prohibiting amber lights on parked vehicles".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1884, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1897, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216) further regulating the disbursement of funds by brokers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1937, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) excepting certain operators and owners from certain requirements as to security and suspension.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. EILBERG and AGNEW offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Act No. 32)" and inserting "(P. L. 58)".

Amend Sec. 1, page 2, lines 2 and 3, by striking out "a new clause" and inserting "two new clauses".

Amend Sec. 1 (Sec. 1406), page 2, line 7, by striking out "the" where it appears the first time, and inserting "any".

Amend Sec. 1 (Sec. 1406), page 2, line 7, by inserting after "owner" "who is not convicted of a violation of any of the provisions of Article X of this act before a magistrate or a court of record and who does not voluntarily enter a plea of guilty or nolo contendere or pay a fine and costs for such a violation before a magistrate or in a court of record".

Amend Sec. 1 (Sec. 1406), page 2, line 7, by striking out "the" where it appears the third time, and inserting "any".

Amend Sec. 1 (Sec. 1406), page 2, lines 9 and 10, by striking out "Articles I to XIII both inclusive" and inserting "Article X".

Amend Sec. 1 (Sec. 1406), page 2, line 10, by inserting after "violation" "before a magistrate or in a court of record".

Amend Sec. 1 (Sec. 1406), page 2, line 12, by inserting after "costs" "before a magistrate or in a court of record."  
 "(6) To any operator or owner involved in an accident who has been found to be not guilty of a violation of the provisions of Article X of this act by a magistrate, a court of record or the department."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Messrs. EILBERG and AGNEW offered the following amendment:

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting "(P. L. 58)".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2068, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for use by the School of Agriculture in the conduct of research into bovine mastitis.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2069, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for use by the School of Veterinary Medicine in the conduct of research into certain matters relating to bovine mastitis.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2211, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances.

And said bill having been read at length the second time and agreed to.



Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 74, Printer's No. 279,  
was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the incurrence of a temporary debt for construction or reconstruction of certain school building projects.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

#### BILLS PASSED OVER

The SPEAKER pro tempore. Without objection, the remaining Senate bills on page 9, all bills on page 10 and Senate Bills 486 and 487 on page 11 will be passed over.

The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 530, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the Superintendent of Public Instruction to withhold appropriations from school districts and arrange payments to lending agencies in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

#### CUB SCOUTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes the presence in the Hall of the House of Pack 39, Cub Scouts from Wilkes-Barre. We are glad to have them with us and hope they enjoy their visit in the House today.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act amending the act of January 14, 1952 (P. L. 2016), entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police there in \* \* \*" further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty in order that they may obtain such training.

Mr. SCHWARTZ. This is a bill of possible far-reaching purposes. I would like, therefore, to make a motion that it be recommitted to the Committee on Municipal Corporations for further study and possible amendment.

This bill, which deals with auxiliary police, changes the existing law so that auxiliary police can be put on duty prior to their having received any training whatsoever. Additionally, it permits the Chief of Police great latitude in deciding where and when he is going to use these auxiliary police, especially before they receive training. Very possibly this could be an impingement on organized labor, or in the event of strikes or such, and therefore I move at this time for the recommitment of this bill to the Committee on Municipal Corporations.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 772, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" increasing the limitations on appropriations which may be made for agricultural extension work.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 883, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the selection of supervising principals of joint organizations of school districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 968, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" authorizing the sale of newspapers on Sundays.

And said bill having been read at length the second and agreed to.

Ordered, to be transcribed for third reading.

## REPORTS FROM COMMITTEE

Mrs. KERNAGHAN from the Committee on Boroughs, reported as amended, Senate Bill No. 36, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" further regulating the investment of borough funds.

Mr. VERONA from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 1241, entitled:

An Act amending "The Coal Mine Sealing Act of 1947" approved June 30, 1947 (P. L. 1177), imposing duties on the Department of Mines and Mineral Industries and the operator of a mining operation that causes a water loss or diminution and imposing penalties.

Mr. VERONA from the Committee on Boroughs, reported as committed, House Bill No. 2031, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the amount of contracts in which borough officials may have no interest.

Mr. JENKINS from the Committee on Boroughs, re-reported as committed, Senate Bill No. 40, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing appropriations for handling storage and distribution of surplus foods.

Mr. FOX from the Committee on Boroughs, reported as committed, Senate Bill No. 65, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" changing the provisions relating to bond required in awarding contracts.

Mr. VERONA from the Committee on Boroughs, reported as committed, Senate Bill No. 128, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing boroughs to acquire and maintain historical property and permitting borough planning commissions to make recommendations in relation thereto.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1241, entitled:

An Act amending "The Coal Mine Sealing Act of 1947" approved June 30, 1947 (P. L. 1177) imposing duties on the Department of Mines and Mineral Industries and the operator of a mining operation that causes a water loss or diminution and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2031, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the amount of contracts in which borough officials may have no interest.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 128, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing boroughs to acquire and maintain historical property and permitting borough planning commissions to make recommendations in relation thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## PERMISSION TO ADDRESS HOUSE

Mr. STRAUSSER asked and obtained unanimous consent to make a very brief statement.

Mr. Speaker, last Friday I attended a meeting of school administrators in my county. To make it very brief, as a result of that meeting I am about to introduce a Revenue Bill providing a temporary two-year tax on clothing to finance House Bill No. 1108.

## BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1483 on page 21 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing appropriations to posts of the Society of the 28th Division AEF Inc to help defray the cost of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill No. 1483, Printer's No. 1208, on page 21, the bill we are considering is an amendment to the County Code, simply placing the Society of the 28th Division, American Expeditionary Forces Incorporated, a statewide, nationwide organization, officially recognized, in the County Code to be able



to receive the authorized expenses for Memorial Day and Armistice Day services that are held, the same as all the other veteran organizations that are now existing and are authorized to receive these funds.

Mr. Speaker, that is a very concise, quick explanation of this bill. Neither side has caucused on it, yet we would like to have a roll call before we break for caucus. I ask that everyone to vote aye in support of this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—200

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Ashtone,	Gallagher,	McInroy,	Sakulsky,
Auker,	Gelfand,	McKeever,	Scarcell,
Balthaser,	George,	McLaughlin,	Schaaf,
Barton,	Gibb,	Machmer,	Schuster,
Bell,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Guthrie,	Maxwell,	Shupnik,
Boris,	Hamilton,	Meholchick,	Silverman,
Bower,	Heffner,	Merry,	Snare,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Miller, H. G.,	Steckel,
Breth,	Holliday,	Mills,	Stevens,
Buchanan,	Holt,	Monroe,	Stewart,
Burns,	Horst,	Muldowney,	Stimmel,
Capano,	Irviss,	Mullen,	Stone,
Capitolo,	Isaacs,	Munley,	Stoner,
Cianfrani,	Jenkins,	Murphy, A. J., Jr.,	Strausser,
Cloffi,	Jim,	Murphy, P. J.,	Stroup,
Clarke,	Johnson, A. W.,	Murray, H. P.,	Taylor,
Comer,	Johnson, R.,	Murray, J. J.,	Tompkins,
Crossin,	Jones, F. R.,	Musto,	Trusio,
Curwood,	Jones, T. H. W.,	Naugle,	Ujobal,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Varnier,
Dennis,	Kee,	O'Dell,	Verona,
Dennisson,	Kelser,	O'Donnell, J. A.,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donahue,	Kessler,	Odorisio,	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weldner,
Dougherty,	Kornick,	O'Neill,	Welsh,
Down,	Knecht,	Parlante,	Wescott,
Edwards,	Korns,	Pashley,	Wheeler,
Elberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A. D. Jr.,
Eshleman,	Lamb,	Petrosky,	Williams, E. S.,
Ewing,	Lee, A. M.,	Polaski,	Willaredt,
Farabaugh,	Lee, K. B.,	Polen,	Wilt,
Fetterolf,	Leonard,	Prendergast,	Wood,
Filo,	Light,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Zimmerman,
Foerster,	Luigard,	Renwick,	Yetter,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,			

## NAYS—0

## NOT VOTING—8

Brown,	Heavy,	Murray, P. G.,	Thompson,
Cooper,	Moran,	Sullivan,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1365

Mr. NEEDHAM. Mr. Speaker, I move that the vote by which House Bill No. 1365, Printer's No. 514, entitled:

"An Act amending the 'Anthracite Coal Mining Law,' approved June 2, 1891 (P. L. 176), changing applicability of act."

was defeated on Final Passage Monday, August 3, 1959, be reconsidered.

Mr. ROVANSEK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lackawanna, Mr. Needham vote on the final passage of this bill?

Mr. NEEDHAM. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Cambria, Mr. Rovansek vote on the final passage of this bill?

Mr. ROVANSEK. Mr. Speaker, I voted with the prevailing side.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

## BILL POSTPONED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

## RECONSIDERATION OF HOUSE BILL NO. 1057

Mr. PARLANTE. Mr. Speaker, I move that the vote by which House Bill No. 1057, Printer's No. 961, entitled:

"An Act amending the act of May 2, 1929, (P. L. 1513), entitled as amended 'An act regulating the construction, equipment, maintenance, operation and inspection of boilers and unfired pressure vessels \* \* \*,' clarifying certain provisions deleting certain definitions and eliminating certain exemptions from the act and increasing the fee for certificates for boilers and unfired pressure vessels."

was defeated on Final Passage Monday, July 27, 1959, be reconsidered.

Mr. P. E. PERRY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Parlante vote on the final passage of this bill?

Mr. PARLANTE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Perry vote on the final passage of this bill?

Mr. P. E. PERRY. Mr. Speaker, I voted with the prevailing side.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

## BILL POSTPONED

Mr. PARLANTE. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

## QUESTION OF PERSONAL PRIVILEGE

Mr. KORNICK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KORNICK. Mr. Speaker, on Tuesday, August 4, 1959, during the roll call on House Bill No. 1467 I had voted with the affirmative side under a misapprehension.

Mr. Speaker, I would like to insert into the Legislative Journal that it was my intension to vote in the negative.

## REPORTS FROM COMMITTEE

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 1450, entitled:

An Act relating to the control of occupational diseases and their prevention \* \* \* providing that the Department of Health shall administer the act and providing that reports made under this act shall be confidential and providing for civil relief.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 1944, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers \* \* \*" concerning minimum wages providing for a minimum wage for employes in this Commonwealth providing a wage board procedure for establishing supplementary minimum wages defining the powers and duties of the Department of Labor and Industry and providing penalties.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for National Education.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection

House Bill No. 20, Printer's No. 1222, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 63, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility act and other acts relating to the ownership possession and use of vehicles and tractors," prohibiting drag races and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Messrs. RIGBY, KORNICK and BOWMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, eleventh and twelfth lines of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."

Amend Title, page 2, last line of Title, by inserting after "prohibiting": "physical endurance contests and race or speed contests including".

Amend Title, page 2, last line of Title, by inserting after "races": "on highways and prohibiting local authorities from establishing or maintaining roads, highways or other property for such purposes."

Amend Title, page 2, last line of Title, by inserting after "penalties": "and suspension of operating privileges."

Amend Sec. 1, page 3, lines 1 to 19, page 4, lines 1 to

20, page 5, lines 1 to 6, by striking out all of said lines and inserting:

"Section 1. Section 618, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended by adding, after subsection (a), a new subsection to read:

"Section 618. Suspension of Licenses or Operating Privileges.—

\* \* \*

"(a.1) The secretary shall suspend the operating privileges of any person, with or without a hearing, before the secretary or his representative, upon receiving proceedings, in which such person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a judge or jury of violating the provisions of section 1040 of this act.

\* \* \*

"Section 2. Clause (3) of section 1001 of the act is repealed.

"Section 3. The act is amended by adding, after Section 1039, a new section to read:

"Section 1040. Speed Contests and Drag Races Prohibited.—It shall be unlawful for any person to operate a vehicle upon any highway in a physical endurance contest, race or speed contest, including those commonly known as drag races, whether from a standing start or otherwise over a measured or unmeasured distance, the object of which is to better or defeat one or more contestants on the basis of elapsed time or superior performance.

"Penalty.—Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00), or to undergo imprisonment for not more than three (3) years, or both.

"Section 4. Subsection (a) of section 1103 of the act is amended to read:

"Section 1103. Powers of Local Authorities.—

"(a) Local authorities, except as expressly authorized by this act, shall have no power or authority to alter any speed limitations declared in this act, or to enact or enforce any ordinance, rule or regulation contrary to the provisions of this act, except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous, and may regulate or prohibit parking, stopping or loading of vehicles, except that parking meters shall not be installed at entrances to theaters, hotels, motion picture theaters, or prohibit other than one-way traffic upon certain highways, and may regulate the use of the highways by processions or assemblages, and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours, and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city, or from points in the city to points beyond the city limits, and make and enforce regulations for the operation of such vehicles not inconsistent with this act, and designate certain streets upon which such vehicles may be operated:

"Provided, however, That any regulations of the kinds and classes of traffic on State highways routes within cities shall be subject to the approval of the Secretary of Highways, first had and obtained.

"Local authorities may designate any highway or any part of a highway under their jurisdiction a "play highway," and may close such designated highway to general traffic where interference to traffic will not be serious. Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs, specifying the hours between which such highways shall be closed to general traffic.

"Local authorities shall have no power or authority to establish or maintain any section of road or highway or any other realty possessed by the political subdivision, for the purpose of allowing the operation of motor vehicles in physical endurance contests or in race or speed contests including those commonly known as drag races."

The SPEAKER pro tempore. Will the House give unani-



mous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1018 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1018, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) enlarging the power of cities to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities and from points without such cities to points within such cities.

On the question,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, first to ninth lines of Title, by striking out "May 1, 1929 (P. L. 905) entitled "An act for the" in line 1 and all of lines 2 to 9.

Amend Title, page 2, first to eleventh lines of Title, by striking out all of lines 1 to 10 and "tion and providing for refunds" in line 11, and inserting "April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors,".

Amend Title, page 2, eleventh line of Title, by inserting after "cities" "of the first class".

Amend Sec. 1, page 3, line 1, by striking out "723 act of May 1, 1929 (P. L. 905)" and inserting "730, act of April 29, 1959 (P. L. 58),".

Amend Sec. 1, page 3, line 2, by striking out "amended July 16, 1935 (P. L. 1056)".

Amend Sec. 1 (Sec. 723), page 3, line 3, by striking out "723" and inserting "730. (a)".

Amend Sec. 1 (Sec. 723), page 3, line 7, by inserting after "cities" "of the first class".

Amend Sec. 1 (Sec. 723), page 3, line 9, by striking out the brackets before and after "to its suburbs".

Amend Sec. 1 (Sec. 723), page 3, lines 9 and 10, by striking out "to points outside the city whether within or without the Commonwealth".

Amend Sec. 1 (Sec. 723), page 3, line 11, by striking out the brackets before and after "ten miles".

Amend Sec. 1 (Sec. 723), page 3, lines 11 to 14, by striking out "twenty (20) miles of such city limits or from points" in line 11 and all of lines 12 to 14, and inserting "(b) Any city of the first class may levy a fee or tax upon motor buses and motor omnibuses transporting passengers for pay or hire from points within such city to points outside the city, or from points outside the city to points within the city, whether within or without the Commonwealth, which are within a radius of twenty (20) miles of such city limits."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1652 on page 23 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1652, entitled:

An Act amending the "Employment Agency Law" approved July 31, 1941 (P. L. 616) changing definitions licensing criteria and licensing suspension and revocation procedures; reducing fee for representative licenses changing the authority of employment agents with regard to changing fees and utilizing certain methods of doing business providing for minimum fees in certain types of engagements clarifying the applicability of other laws to employment agents changing the procedures and penalties for violations of this act and clarifying and changing the powers and duties of the Department.

On the question,

Will the House agree to the bill on third reading?

Mr. WARGO asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 2), page 3, line 17 by striking out "employs or pays" and inserting "engages, to any significant extent, in the business of employing or paying".

Amend Section 1 (Section 2), page 3, line 17 by inserting after "individual" "or individuals".

Amend Section 2 (Section 8), page 11, line 6 by inserting after "days" "after receipt".

Amend Section 2 (Section 8), page 11, line 8 by striking out "under" and inserting "render".

Amend Section 3 (Section 15), page 14, lines 17 to 20, and page 15, lines 1 and 2, by striking out "If such license is sur-" in line 17, all of lines 18 to 20 on page 14, and all of lines 1 and 2 on page 15.

Amend Section 6 (Section 24), page 25, line 11 by striking out "it" and inserting "his".

Amend Section 6 (Section 24), page 26, line 14 by inserting after "approve" "such".

Amend Section 6 (Section 24), page 26, line 16 by striking out "after notice and hearing".

Amend Section 8 (Section 27), page 29, line 6 by striking out "or employes standards for the approval of fees".

Amend Section 8 (Section 27), page 29, line 7 by inserting after "for" "reasonable operation of employment agencies and".

Amend Section 8 (Section 27), page 29, line 10 by striking out "of any action to" and inserting "on".

Amend Section 8 (Section 27), page 29, line 10 by striking out "the right of any" and inserting "the effect on the".

Amend Section 8 (Section 27), page 29, lines 11 to 13 by striking out "to a fair return for his time investment (3) development" in line 11, and all of lines 12 and 13.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?



It was agreed to.

Ordered, That the bill as amended lie over for printing.

## DEMOCRATIC AND REPUBLICAN CAUCUSES

Mr. McCANN. I would like to request a caucus of the Democratic members in the new House Caucus Room, for a period of one hour. Caucus first, and then one half hour for lunch when the cafeteria is cleared out after the caucus.

I ask that all the Members bring with them their House calendars. That means that this House would convene after one hour of caucusing at 1:15, following lunch, that is daylight saving time.

Mr. A. W. JOHNSON. Mr. Speaker, we would also like to have an immediate caucus to last one hour and then one half hour for lunch. Would the Members please bring their calendars also to the Republican Caucus. We are going to caucus on final passage and third reading bills that we have not previously caucused on.

Mr. McCANN. Mr. Speaker, I would like to reemphasize to the Democratic Members that the sooner they get down to the caucus room and get right down to business, the sooner we will get out of here tonight so they can go home. So all those who delay will be the ones who will be at fault if they are here at six or seven o'clock or later tonight.

There will not be any Session on Thursday. We can finish this work if the Members will go to their caucus room right now for one hour and then take half an hour for lunch.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair now declares a recess of one and one-half hours.

The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## BILLS INTRODUCED AND REFERRED

By Messrs. McLAUGHLIN and MIHM.

HOUSE BILL No. 2299.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating restrictions as to speed.

Referred to the Committee on Motor Vehicles.

By Messrs. DONALDSON and MIHM.

HOUSE BILL No. 2300.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), further defining "document" to exclude certain transfers from the payment of tax.

Referred to the Committee on Ways and Means.

By Mr. STRAUSSER.

HOUSE BILL No. 2301.

An Act imposing a tax on the sale or use of clothing; providing for licenses, reports and payment of tax, interest and penalties, assessments, collections, liens, reviews and appeals.

Referred to the Committee on Ways and Means.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. A. W. JOHNSON.

(Concurrent) RESOLUTION No. 101.

In the House of Representatives, August 5, 1959.

There exists an urgent need in the Commonwealth of Pennsylvania and in the Nation as a whole to give greater attention to the complex problems of civilian defense; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to cause to be constructed in the Independence Mall area in Philadelphia, a dual purpose prototype bomb shelter and underground garage in cooperation with State and local agencies now working in the field of civil defense, which would give not only to the residents of Philadelphia but to countless thousands of Americans who visit the site an opportunity to become acquainted with the type of structure required in the nuclear age for the protection and shelter of the public, and thus stimulate popular support for a Nation-wide civil defense program which would incorporate this type of protection; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Mr. A. W. JOHNSON.

(Concurrent) RESOLUTION No. 102.

In the House of Representatives, August 5, 1959.

It has long been evident that the rulers of international Communism are determined to spread their godless doctrine to every part of the globe by any and all means, including war if other means fail.

The people of the United States and of the Commonwealth of Pennsylvania may one day be subjected to the supreme trial of an all-out atom and hydrogen bomb attack.

Such an all-out attack against us is less likely to come if we bring our military and civil defense preparedness to a high level.

The continuity of State government and protection of its key personnel will be of vital importance during an atomic attack.

The General State Authority is now designing a second underground parking facility to be built adjacent to the State Capitol Building in Harrisburg; therefore be it

Resolved (The Senate concurring), That the State Council of Civil Defense, in cooperation with the General State Authority, be directed to consult with the Atomic Energy Commission in Washington, D. C. on the feasibility of extending the use of the projected underground parking facility to include (1) a fallout shelter for government employees; (2) emergency operational headquarters to be used by the Governor and the Council of Civil Defense, or both, and study such other Civil Defense uses as can be made of the structure; and be it further

Resolved, That the State Council of Civil Defense report its findings to the Legislature; and be it further

Resolved, That copies of this resolution be transmitted to the State Council of Civil Defense and to the General State Authority.

Referred to the Committee on Rules.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:



## SENATE BILL No. 879.

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class \* \* \*" increasing payments to certain beneficiaries under the fund.

Referred to the Committee on Rules.

## SENATE BILL No. 880.

An Act amending the act of May 28, 1915 (P. L. 956) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employes.

Referred to the Committee on Rules.

## SENATE BILL No. 881.

An Act amending the act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" increasing payments to certain beneficiaries under the fund.

Referred to the Committee on Rules.

## BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 345.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing the annexation of certain territory in a township which territory is contiguous to and owned by the borough.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, July 29, 1959.

Resolved (if the Senate concur), That House Bill No. 1690, Printer's No. 1031, entitled "An act amending the act of April 29, 1959 (Act No. 32) entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains and providing an exception for public utility vehicles under certain circumstances," be recalled from the Governor for the purpose of amendment.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

## REPORTS FROM COMMITTEE

Mr. FILO from the Committee on Game and Conservation, reported as amended, House Bill No. 1906, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

Mr. CIANFRANI from the Committee on Municipal Corporations, reported as committed, House Bill No. 56, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law: \* \* \*, and providing for the reinstatement of the liens of such claims and judgments.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law: \* \* \*, and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1115, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.49 acres more or less of land situate in Abington Township Lackawanna County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Agnew,	Fulmer,	McCann,	Rovanseck,
Anderson,	Gailey,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Ashton,	Garlock,	McInroy,	Sakulsky,
Auker,	Gelfand,	McKeever,	Scarcelli,
Balthaser,	George,	McLaughlin,	Schaaf,
Barton,	Gibb,	Machmer,	Schuster,
Bell,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Guthrie,	Maxwell,	Shupnik,
Boris,	Hamilton,	Meholchick,	Silverman,
Bower,	Heavey,	Merry,	Snare,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Breth,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irlis,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cloffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobai,
Davis,	Jones, T. H. W.,	Needham,	Varallo,

Dengler,	Jump,	Nelson,	Varner,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Knecht,	O'Neil,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kornick,	Pashley,	Wheeler,
Ellberg,	Korns,	Perry, H. H.,	Whittaker,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, A.D., Jr.,
Eshleman,	Kubitsky,	Petrosky,	Williams, E. S.,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yatron,
Flynn,	Lippincott,	Reidenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Zimmerman,
Fox,	Luigard,	Rigby,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,		

## NAYS—0

## NOT VOTING—7

Brown,	Moran,	Sullivan,	Willard,
Cooper,	Murray, P. G.,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REVENUE BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1285 on page 34 of today's calendar, revenue bill on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1285, entitled:

An Act amending the act of May 6, 1956 (P. L. 1228) entitled as amended "An act to provide revenue for purposes of public education by imposing a tax on the sale use storage rental or consumption of certain personal property and certain services providing for licenses reports and payments of tax interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers corporations partnerships associations and individuals and making an appropriation defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

On the question,

Will the House agree to the bill on third reading?

Mr. WHITTAKER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 3 (Sec. 2), page 6, line 7, by striking out "and malt or brewed beverages."

Amend Sec. 3 (Sec. 2), page 6, lines 9 and 10, by striking out "for any purpose and" and inserting: except purchases by persons holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code" who purchase for the purpose of resale. The term "purchase at retail" with respect to malt and brewed beverages shall include.

Amend Sec. 3 (Sec. 2), page 6, line 17, by inserting

after "distributor" " or purchases by a "retail dispenser" or a person holding a "retail liquor license."

Amend Sec. 2 (Sec. 2), page 6, line 18, by inserting after "code" " who purchases for the purpose of resale.

Amend Sec. 3 (Sec. 2), page 6, line 19, by striking out "not."

Amend Sec. 3 (Sec. 2), page 7, lines 5 to 8, by striking out "but shall include any" in line 5, and all of lines 6 to 8.

Amend Sec. 3 (Sec. 2), page 9, line 3, by striking out "not."

Amend Sec. 3 (Sec. 2), page 7, lines 5 to 8, by striking out "but shall include any" in line 5, and all of lines 6 to 8.

Amend Sec. 3 (Sec. 2), page 9, line 3, by striking out "not."

Amend Sec. 3 (Sec. 2), page 14, line 18, by striking out "and "malt and brewed beverages" "

Amend Sec. 3 (Sec. 2), page 14, line 20, by striking out "for any purpose and" and inserting: except sales to persons holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code" who purchase for the purpose of resale. The term "sale at retail" with respect to malt and brewed beverages shall include.

Amend Sec. 3 (Sec. 2), page 15, line 7, by inserting after "distribution" " or sales to a "retail dispenser" or a person holding a "retail liquor license."

Amend Sec. 3 (Sec. 2), page 15, line 9, by striking out "not."

Amend Sec. 3 (Sec. 2), page 15, lines 14 to 17, by striking out "but shall include any" in line 14, and all of lines 15 to 17.

Amend Sec. 5 (Sec. 2), page 17, line 17, by inserting after "liquors" including but not limited to mixed drinks.

Amend Sec. 6 (Sec. 2), page 18, line 9, by inserting after "liquors" including but not limited to mixed drinks.

Amend Sec. 8 (Sec. 2), page 25, lines 1 and 2, by striking out "and "malt or brewed beverages" "

Amend Sec. 8 (Sec. 2), page 25, line 4, by striking out "for any purpose and" and inserting: except purchases by persons holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code" who purchase for the purpose of resale. The term "use" with respect to malt and brewed beverages shall include.

Amend Sec. 8 (Sec. 2), page 25, line 12, by inserting after " "distributor" " or purchases by a "retail dispenser" or a person holding a "retail liquor license."

Amend Sec. 8 (Sec. 2), page 25, line 13, by inserting after "code" " who purchase for the purpose of resale.

Amend Sec. 8 (Sec. 2), page 25, line 13, by striking out "not."

Amend Sec. 8 (Sec. 2), page 25, line 19, page 26, lines 1 to 5, by striking out "but shall include the exercise of any right" in line 19, page 25, and all of lines 1 to 5, page 26.

Amend Bill, page 29, by inserting between lines 9 and 10:

Section 10. All revenues obtained from this amendatory act shall be used for purposes of public education.

Amend Sec. 10, page 29, line 10, by striking out "10" and inserting: "11."

The SPEAKER Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. WHITTAKER. This tax-package, so-called, for the purpose of schools and public education falls far short of providing vitally necessary funds. The sum of \$28 million that is marked for education is a feeble effort to take care of the educational responsibilities we owe the children of Pennsylvania.

By adding this amendment to House Bill No. 1285, which will place the tax on alcoholic beverages at



the complete retail or use level several million dollars will be available for education. Liquor store purchases and beer from the distributor are taxable under this amendment, unless purchased by a licensee for re-sale. The tax is then exempt and collected when sold to the consumer—strictly a use-level tax on alcoholic beverages.

I ask you what person in good faith will complain about a 20 cent tax on a fifth of liquor? What bar patron will complain about a two cent tax on a 50 cent highball, or a penny tax on a 25 cent bottle of beer?

The millions of dollars raised by this amendment is strictly for education and will not place a hardship on anyone. When we are taxing the necessities of life at the use-level, why exempt alcoholic beverages at the use-level? They are not necessities. A vote against this amendment, in my opinion, is a vote against aid to education; a vote for this amendment is a step in the direction of aiding education.

I ask the Members on both sides to vote favorably on this amendment and ask for a slow roll call.

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Lycoming, Mr. Whittaker.

The opportunity presented itself on the first day the bill was up for consideration to vote for the bill to insure its passage, which would have provided the tax across the bar. This is now a tax package in an effort to pass it. Mr. Speaker, I ask that the amendments be defeated.

The SPEAKER. The Chair would believe that the division would answer the requirements.

Mr. McCANN. Mr. Speaker, 106 Democratic Members on this side are committed to oppose the amendments and they are all here. Division is certainly most satisfactory.

The SPEAKER. The Chair is compelled to recognize, because they rise, Members who ask for a roll call. The Chair will order the roll call. Otherwise we will ask for a division.

Mr. McCANN. If a roll call has been requested, we will accept a roll call.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WHITTAKER and DAVIS and were as follows:

## YEAS—32

Ashton,	Donahue,	Miller, B. Z.,	Ujobal,
Barton,	Donaldson,	Murray, H. P.	Varner,
Blair,	Fulmer,	O'Dell,	Welsh,
Bower,	George,	Pursley,	Whittaker,
Bowman,	Holliday,	Stevens,	Williams, A. D., Jr.,
Capano,	Jones, T. H. W.,	Stewart,	Williams, E. S.,
Davis,	Light,	Strausser,	Wilt,
Dennison,	McCandless,	Stroup,	Zimmerman,

## NAYS—168

Agnew,	Garlock,	Lutty,	Reibman,
Anderson,	Gelfand,	McCann,	Reidenbach,
Arlene,	Gibb,	McCormack,	Renwick,
Auker,	Goldstein,	McDonald,	Rigby,
Balthaser,	Goodrich,	McInroy,	Riley,
Bell,	Gramlich,	McKeever,	Rovanssek,
Boles,	Guthrie,	McLaughlin,	Royer,
Bonner,	Hamilton,	Machmer,	Rudsill,
Boris,	Heavey,	Magee,	Sakulsky,
Branca,	Heffner,	Mahan,	Scarceill,
Brenninger,	Helm,	Markley,	Schaaaf,
Breth,	Henzel,	Maxwell,	Schuster,
Buchanan,	Hocker,	Meholchick,	Schwartz,
Burns,	Holt,	Merry,	Sherman,
Capitolo,	Horst,	Mihm,	Shupnik,

Clanfrani,	Irvis,	Miller, H. G.,	Silverman,
Cloffi,	Isaacs,	Mills,	Snare,
Clarke,	Jenkins,	Monroe,	Snider,
Comer,	Jim,	Muldowney,	Stank,
Crossin,	Johnson, A. W.,	Mullen,	Steckel,
Curwood,	Johnson, R.,	Munley,	Stimmel,
Dengler,	Jones, F. R.,	Murphy, A. J., Jr.,	Stone,
Dennis,	Jump,	Murphy, P. J.,	Stoner,
Devlin,	Kamyk,	Murray, J. J.,	Taylor,
Dougherty,	Kee,	Musto,	Tompkins,
Down,	Kelser,	Naugle,	Trusio,
Edwards,	Kernaghan,	Needham,	Varallo,
Ellberg,	Kessler,	Nelson,	Verona,
Eshback,	Knecht,	O'Donnell, J. A.,	Wall,
Eshleman,	Kooker,	O'Donnell, J. P.,	Walsh,
Ewing,	Kornick,	Odorizio,	Wargo,
Farabaugh,	Korns,	Ogilvie,	Weldner,
Fetterolf,	Kovolenko,	O'Neil,	Wescott,
Filo,	Kubitsky,	Parlante,	Wheeler,
Fineman,	Lamb,	Pashley,	Willaredt,
Floyd,	Lee, A. M.,	Perry, H. H.,	Wood,
Flynn,	Lee, K. B.,	Perry, P. E.,	Worley,
Foerster,	Leonard,	Petrosky,	Wynd,
Fox,	Limper,	Polaski,	Yatron,
Frank,	Lippincott,	Polen,	Yetter,
Frascella,	Loprestl,	Prendergast,	Andrews,
Galley,	Lulgard,	Price,	Speaker
Gallagher,			

## NOT VOTING—8

Brown,	Moran,	Seltzer,	Thompson,
Cooper,	Murray, P. G.,	Sullivan,	Willard,

So the question was determined in the negative and the amendments were not agreed to.

On the question, recurring,

Will the House agree to the bill on third reading?

## MOTION TO POSTPONE

Mr. T. H. W. JONES. Mr. Speaker, I move to place House Bill 1285, Printer's No. 1070, upon the third reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. T. H. W. JONES. Mr. Speaker, this morning I was pleased and surprised to find in my mailbox a letter signed by Mr. Joseph McDonough, President of the Federation of Labor, Mr. Harry Boyer, President of the Pennsylvania CIO Council, Mr. Charles Sludden, a State Legislative Representative of the Brotherhood of Railroad Trainmen, and Mr. Lester Thomas, Legislative representative of the United Mine Workers.

This letter, after stating the united opposition of these gentlemen to the 4 percent sales tax, goes on to read as follows:

We feel certain that there are available other alternatives of a 4% sales tax which have not as yet been proposed. We are prepared, at the invitation of responsible members of either the administration or the Legislature to present such alternatives including one which falls within the scope of the Sales and Use Tax Formula (much as we dislike same) and yet would exclude take home food and clothing.

It seems to me that there should be many of us in this room who would like to heed that request. I, myself, have been no special friend of labor but, at the same time, these gentlemen are of such importance and we have spent such a long time here that I can see no harm in continuing action on this bill for another week or two until these gentlemen come up with the request for which they ask. We can judge the merits of the action which they take at that time.

Secondly, in my particular legislative district, this 4

percent sales tax, taxing as it does liquor and beer, is a very serious consideration. Over the years I have opposed all taxes relating to that subject. I have a very large brewery there as well as a soft drink bottling plant, and, regardless of all other consideration, I cannot vote for this bill.

The SPEAKER. The Chair would suggest that the gentlemen was verging on a discussion of the merits of the bill rather than the merits of the motion to postpone.

Mr. T. H. W. JONES. Yes, Mr. Speaker.

I only would like to suggest that there are many others in this room on both sides of the House who are faced with similar problems I think I have said enough in favor of the motion to postpone and I would like to request a slow roll call.

Mr. McCANN. Mr Speaker, I rise to oppose the motion made by the gentleman from Montgomery, Mr. Jones, to place this bill on the third reading postponed calendar.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. T. H. W. JONES and FETTEROLF, and were as follows:

#### YEAS—74

Auker,	Fox,	Kooker,	Seltzer,
Barton,	Fulmer,	Kubitsky,	Snare,
Bell,	Gailey,	Light,	Stank,
Blair,	George,	Lippincott,	Stewart,
Boris,	Gibb,	Lulgard,	Stoner,
Bower,	Goodrich,	McCandless,	Stroup,
Bowman,	Guthrie,	McCormack,	Tompkins,
Buchanan,	Heffner,	Magee,	Ujobai,
Capano,	Henzel,	Miller, B. Z.,	Varner,
Dengler,	Holliday,	Miller, H. G.,	Weidner,
Dennison,	Horst,	Murphy, P. J.,	Welsh,
Donahue,	Isaacs,	Murray, H. P.,	Whittaker,
Donaldson,	Johnson, R.,	O'Dell,	Williams, A.D., Jr.,
Edwards,	Jones, T. H. W.,	Odorisio,	Williams, E. S.,
Eshback,	Jump,	Ogilvie,	Wilt,
Eshleman,	Kee,	Price,	Worley,
Fetterolf,	Kernaghan,	Pursley,	Wynd,
Fillo,	Kessler,	Rigby,	Zimmerman,
Flynn,	Knecht,		

#### NAYS—127

Agnew,	Garlock,	Mahan,	Rovansek,
Anderson,	Gelfand,	Markley,	Royer,
Arlene,	Goldstein,	Maxwell,	Rudisill,
Ashton,	Gramlich,	Meholchick,	Sakulsky,
Balthaser,	Hamilton,	Merry,	Scarcell,
Boles,	Heavey,	Mihm,	Schaaf,
Bonner,	Helm,	Mills,	Schuster,
Branca,	Hocker,	Monroe,	Schwartz,
Brenninger,	Holt,	Muldowney,	Sherman,
Breth,	Irvs,	Mullen,	Shupnik,
Burns,	Jenkins,	Munley,	Silverman,
Capitolo,	Jim,	Murphy, A.J., Jr.,	Snider,
Cianfrani,	Johnson, A. W.,	Murray, J. J.,	Steckel,
Cloff,	Jones, F. R.,	Musto,	Stevens,
Clarke,	Kamyk,	Naugle,	Stimmel,
Comer,	Kelser,	Needham,	Stone,
Crossin,	Kornick,	Nelson,	Strausser,
Curwood,	Korns,	O'Donnell, J. A.,	Taylor,
Davis,	Kovolenko,	O'Donnell, J. P.,	Truslo,
Dennis,	Lamb,	O'Neil,	Varallo,
Devlin,	Lee, A. M.,	Parlante,	Verona,
Dougherty,	Lee, K. B.,	Perry, H. H.,	Wall,
Down,	Leonard,	Perry, P. E.,	Walsh,
Eilberg,	Limper,	Pashley,	Wargo,
Ewing,	Lopresti,	Petrosky,	Wescott,
Farabaugh,	Lutty,	Polaski,	Wheeler,
Fineman,	McCann,	Polen,	Willaredt,
Floyd,	McDonald,	Prendergast,	Wood,
Foerster,	McInroy,	Reibman,	Yatron,
Frank,	McKeever,	Reidenbach,	Yetter,
Frascella,	McLaughlin,	Renwick,	Andrews,
Gallagher,	Machmer,	Riley,	Speaker

#### NOT VOTING—7

Brown,	Moran,	Sullivan,	Willard,
Cooper,	Murray, P. G.,	Thompson,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, Members of this body, there comes a time in every man's political life when he has to make a decision of this type. I, for one, have sat, with other people, in hearings until midnight and longer within a short distance of this Hall, trying to cut down on the budget, and there will be more of that, I think, in the future. However, the decision a man must make is whether or not he wants to follow his own mind, or to supply the necessities of this Commonwealth which his people demand.

I am happy that I represent the Second Legislative District of Dauphin County, which is about 90,000 people. I do not think there are many days in my life that go by that I do not have someone call either my home or my office and want some additional service of some type. I think I have helped many people during my terms of office here, and I am happy to do that. As I say, I have worked on this budget, being a member of the Appropriations Committee. I have worked hard and long. We have spent many hours over there long after the rest of you had left. I feel as though we have cut some things out of that budget, but the mandates that have been made by the people who have sat in these seats in this Legislative hall are certainly things you cannot cut out of that budget. I have gone over this very carefully, I have weighed it in my mind and I have come to a decision.

I want to say to you as Members of this House, I took an obligation that I would uphold the Constitution and care for the needs of these people, both the ones who are in institutions and the ones who are out. Unfortunately I have no children to go to school, but my heart bleeds for the people who do who do not have the proper facilities when they go. So I have decided, and I want it spread upon the record, that even though this may not be what I would choose personally, we have arrived at a place where we are losing \$1.633 million every week we delay this tax package. That is money that is gone that you will never be able to make up.

So, Mr. Speaker, I am going to go on record now, and when the roll is called I am going to vote for the bill, not for myself, but for the things I think the 90,000 people in Dauphin County are entitled to.

Mr. HELM. Mr. Speaker, I rise not to debate the bill, but for the purpose of asking the Majority Leader one question if the gentleman will consent to be interrogated.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

Mr. HELM. Mr. Speaker, I have sat on the Committee studying the tax problem, and with the Majority Leader in coming up with a program. I have heard him answer this query personally, but I believe it is necessary that we get it on the record today.

I would like to ask the Majority Leader if, in his judgment, the Governor of the Commonwealth will sign this tax bill once it has been passed by the House and Senate.

Mr. McCANN. Mr. Speaker, the Governor of this Com-



monwealth will sign this tax bill if passed in its present form and presented to him by the House and the Senate.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—116

Anderson,	Garlock,	Markley,	Rovansek,
Arlene,	Gelfand,	Maxwell,	Royer,
Balthaser,	Gramlich,	Meholchick,	Rudisill,
Boles,	Hamilton,	Merry,	Sakulsky,
Bonner,	Heavey,	Mihm,	Scarcell,
Bowman,	Helm,	Mills,	Schaaf,
Branca,	Hocker,	Monroe,	Schuster,
Breth,	Holt,	Muldowney,	Schwartz,
Burns,	Irviss,	Mullen,	Sherman,
Capitolo,	Jenkins,	Munley,	Shupnik,
Cianfrani,	Jim,	Murphy, A. J., Jr.,	Silverman,
Cioffi,	Johnson, A. W.,	Murray, J. J.,	Snider,
Clarke,	Jones, F. R.,	Musto,	Steckel,
Comer,	Kamyk,	Naugle,	Stevens,
Crossin,	Kornick,	Needham,	Stimmel,
Curwood,	Korns,	Nelson,	Stone,
Dennis,	Kovolenko,	O'Donnell, J. A.,	Strausser,
Devlin,	Lamb,	O'Donnell, J. P.,	Taylor,
Dougherty,	Leonard,	Parlante,	Tompkins,
Down,	Limper,	Pashley,	Trusio,
Ellberg,	Lopresti,	Perry, H. H.,	Varallo,
Farabaugh,	Lutty,	Perry, P. E.,	Verona,
Filo,	McCann,	Petrosky,	Walsh,
Fineman,	McCormack,	Polaski,	Wargo,
Floyd,	McDonald,	Polen,	Wheeler,
Foerster,	McInroy,	Prendergast,	Wood,
Frank,	McKeever,	Reibman,	Yatron,
Frascella,	McLaughlin,	Reidenbach,	Yetter,
Gallagher,	Machmer,	Riley,	Andrews,

Speaker

#### NAYS—85

Agnew,	Flynn,	Knecht,	Renwick,
Ashton,	Fox,	Kooker,	Rigby,
Auker,	Fulmer,	Kubitsky,	Seltzer,
Barton,	Galley,	Lee, A. M.,	Snare,
Bell,	George,	Lee, K. B.,	Stank,
Blair,	Gibb,	Light,	Stewart,
Boris,	Goldstein,	Lippincott,	Stoner,
Bower,	Goodrich,	Luigard,	Stroup,
Brenninger,	Guthrie,	McCandless,	Ujobal,
Buchanan,	Heffner,	Magee,	Varnier,
Capano,	Henzel,	Mahan,	Wall,
Davis,	Holliday,	Miller, B. Z.,	Weldner,
Dengler,	Horst,	Miller, H. G.,	Welsh,
Dennison,	Isaacs,	Murphy, P. J.,	Wescott,
Donahue,	Johnson, R.,	Murray, H. P.,	Whittaker,
Donaldson,	Jones, T. H. W.,	O'Dell,	Williams, A. D., Jr.,
Edwards,	Jump,	Odorisio,	Williams, E. S.,
Eshback,	Kee,	Ogilvie,	Willaredt,
Eshleman,	Kelser,	O'Neill,	Wilt,
Ewing,	Kernaghan,	Price,	Worley,
Fetterolf,	Kessler,	Pursley,	Wynd,
			Zimmerman,

#### NOT VOTING—7

Brown,	Moran,	Sullivan,	Willard,
Cooper,	Murray, P. G.,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### REASON FOR VOTE

Mr. TRUSIO. Mr. Speaker, I rise to state my reasons for voting for House Bill 1285.

Mr. Speaker, about two months ago at a midnight session I voted "No" on a tax on beer and liquor over-the-bar sales. At that time I proposed in caucus to raise the three and one-half percent sales tax to four percent at

the source. Since I promised my colleagues to vote for this tax at the source, I therefore have done this today.

Mr. Speaker, my reason for voting for the four percent sales tax is because I proposed this in caucus about two months ago.

#### REASON FOR VOTE

Mr. DOWN filed the following reasons for his vote on House Bill No. 1285.

Mr. Speaker, I would like to submit for the record my reason for voting for this tax bill. I believe a public official has certain responsibilities he must maintain for the good of his constituents and the people of Pennsylvania. I know a tax program is unpopular, but if we are to survive as a great state we must meet our responsibilities.

There have been several alternative programs submitted but all are more regressive than this one.

This plan was submitted to this House by a Bi-partisan Committee and I believe it is the only one that can pass at this time.

#### STATEMENT BY THE MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, now that this long tax hassle is over, let us get down to business. Let us pull out the stops and go full steam ahead. Let us get this show over with. I am appealing now to the majority group. You have the committees over there and you have the Committee Chairmen.

There were no deals made on this side for anything, and you have no debt to pay, but I will say this, there are some good bills in there, sponsored by Republicans and Democrats, having to do with various things of interest to the citizens. Let us get them out. Let us get the unemployment compensation bills out here, the workmen's compensation. Get that budget out here on the calendar. Let us take a look at that. What is your program for higher education? How about that scholarship loan program.

Sit down, why don't you, and form a committee and go over every bill that is in; find out the bills that are necessary that must move; get them out on the calendar, and let us wind up as rapidly as possible. There is no use staying here.

We hope the Senate will pass this revenue program. We hope it will be enough money to run the Commonwealth in the next two years. But for goodness' sake let us get down to work over here and let us get going full steam ahead. Let us get the sine die resolution; let us end the show.

#### BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 263, on page 18, of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN. Mr. Speaker, House Bill No. 263, Printer's No. 1223, is a joint resolution proposing an amendment to Section 1, Article 9 of the Constitution, dealing with the income tax on personal corporations and requirements of uniformity.

House Bill No. 263 is a joint resolution which we hope will pass the House and Senate and eventually appear on the ballot for the citizens of the Commonwealth to vote on a change in our Constitution. This, of course, is a resolution which would permit a graduated income tax in the Commonwealth of Pennsylvania, a matter on which we feel the people of the Commonwealth should vote and decide in changing the Constitution of the Commonwealth. We hope the passage of this bill will start the machinery for a change in the Constitution which would be adopted by the citizens of the Commonwealth.

Mr. A. W. JOHNSON. Mr. Speaker, I was going to ask to have the bill passed over, and I am just wondering whether you want it to pass third reading or not.

We have not had the opportunity of caucusing on this measure. It is an understanding with the Majority Leader that any bills we have not caucused on automatically go over.

The SPEAKER. The Minority Leader says his understanding was that those measures which had not been brought to the attention of his caucus were automatically to go over. The Minority Leader asks that this bill go over.

Mr. McCANN. Mr. Speaker, I have never denied the passing over of any bill. We have had an agreement from the very first day of this Session that any time anyone asked him, or they asked me, the bill was passed over.

This puts us in a very peculiar position. Our caucus is very, very much in need of passage of this bill. I have never denied that right, and I am wondering if the Minority Leader can in any way on his decision, or his policy committee decision, permit this bill to come before the House now. They have not caucused; I am aware of that from the remarks of Mr. Johnson. I have commitments on my side to try to have this bill voted on today.

Mr. FILO. Mr. Speaker, it was my understanding this bill would be the next bill rolled after the passage of the tax bill, and if this bill was not to be rolled I would have changed my vote on the tax measure.

Mr. McCANN. Mr. Speaker, I hesitate to make the suggestion, because we have worked very carefully, every one has kept his word in every way and no one made any deals at any time, but would it be possible to ask that the Republicans consider a caucus?

The SPEAKER. The Chair would suggest that would be the reasonable way, for the Republicans to take a half hour and caucus.

Mr. A. W. JOHNSON. Mr. Speaker, I realize these people over on the other side want to get a gold star for voting today for a graduated income tax; I know they want to saddle the people of Pennsylvania with it. It is all right with me if they want to do that, but we have not caucused on it and I do not choose to call a caucus. I do not want to be arbitrary. It has been an understanding all through this Session on both sides that when we have not caucused on bills that you tell me, we have not caucused on a bill, and I say, all right, it will be passed over.

There will be plenty of time next week to call this bill up. We will probably want to debate it and give our reasons for or against it. We are not prepared to do so today. I think the reason we have not been able to caucus on it is that we spent so much time on the present tax program we just could not intelligently vote on this measure today. I do not think a short caucus will do it.

The SPEAKER. Will the Majority Leader and the Minority Leader come to the desk?

You have placed the Speaker in an impossible situation unless the two Floor Leaders can arrange some course mutually agreeable.

The Majority Leader can bring this bill before the House if he so chooses.

Mr. McCANN. Mr. Speaker, House Bill 263 was discussed fully in our caucus. For those who are walking up and down the aisles, and saying that either I or the Minority Leader or any of the others made a deal, I never made a deal in my life and I am not afraid to say that openly for everyone to know.

We caucused on this bill. The Republicans did not caucus. I never knew that until we walked in here a few minutes ago. That can be verified by the man who marked the calendar and is standing on this floor now. I intended to roll this bill. I never was a man who has broken his word and if I should live another day, I want to die that way.

They have assured me that they will caucus on this bill. There are some maybe that will even vote on their side in favor of the resolution.

Mr. Speaker, the bill then as agreed will be brought on this floor on Monday and, to those on my side, my own Democrats, who made the motion in my caucus, I want to say, that motion was made in honesty and sincerity and I intended to fulfill that motion entirely. I cannot break a commitment of long standing because I did not know that they had not caucused on this bill.

We have worked together to try to solve these problems and many others and never once have I or any of those associated with me in any conferences ever made any deals, and I think I can speak for the Minority Leader and his group.

Therefore, I ask that it be passed over until Monday.

#### BILL PASSED OVER

There being no objection

House Bill No. 263, Printer's No. 1223, was passed over at the request of Mr. McCANN.

#### BILLS ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 648 on page 4 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 648, entitled:

An Act amending "The Divorce Law" approved May 2, 1929 (P. L. ), enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

The first section was read.

On the question,

Will the House agree to the section?



Mr. LIPPINCOTT offered the following amendments:

Amend Sec. 1 (Sec. 15), page 2, line 18, by striking out "or" where it appears the second time and inserting "the."

Amend Sec. 1 (Sec. 15), page 3, lines 6 and 7, by striking out "decree" and inserting "decrees."

Amend Sec. 1 (Sec. 15), page 5, line 18, by striking out "the" and inserting "such."

Amend Sec. 1 (Sec. 15), page 6, line 1, by striking out "decree" and inserting "decrees."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. DEVLIN offered the following amendment:

Amend Sec. 2 (Sec. 19), page 7, line 20 by striking out "allowance," where it appears the second time.

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 649, entitled:

An Act amending "The Pennsylvania Civil Procedural Support Law" approved July 13, 1953 (P. L. 431), providing for the establishment of a domestic Relations Division in each county and further defining the powers and duties of the Domestic Relations Division and probation officers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LIPPINCOTT offered the following amendment:

Amend Sec. 1 (Sec. 4), page 2, line 4, by striking out "[judiciary]" and inserting "[judicial]"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1572 on page 5 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DEVLIN offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "1710" and inserting "1712 and section 1715."

Amend Sec. 1, page 2, lines 2 and 3, by striking out "February 1, 1956 (P. L. 987) is" and inserting "May 31, 1955 (P. L. 111) are."

Amend Sec. (Sec. 1710), page 2, lines 4 to 20, page 3, lines 1 to 19, page 4, lines 1 to 20, page 5, lines 1 to 20, page 6, lines 1 to 19, page 7, lines 1 to 20, page 8, lines 1 to 19, page 9, lines 1 to 8, by striking all of said lines and inserting "Section 1712. Amount of Retirement Allowances.—\* \* \*

(c) Any person receiving a retirement allowance plus a service increment if any, and is subsequently reemployed as a county employe, during this period of such reemployment his or her retirement allowance plus a service increment if any, shall cease until subsequent retirement. The subsequent retirement allowance and service increment if any, in the case of persons reemployed prior to the first day of June, one thousand nine hundred fifty-three, and retiring at any time after the first day of August, one thousand nine hundred fifty-three, shall be at the rate he or she would have received had there been no previous retirement. In the case of persons reemployed after the thirty-first day of May, one thousand nine hundred fifty-three, the subsequent retirement allowance plus a service increment if any, shall be the same as he or she received prior to his or her reemployment: Provided, That if such persons reemployed after said date of May 31, 1953, shall remain in the employ of the county for a period of three years or more, and shall make regular monthly contributions to the county retirement fund in accordance with the prevailing rates in effect during such period or shall pay into said county retirement fund such sum or sums as may be due and owing for said period of reemployment, then the subsequent retirement allowance and service increment, if any shall be at the rate he or she would have received had there been no previous retirement."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. DEVLIN offered the following amendments:

Amend Sec. 3 (Sec. 1715), page 9, line 19, by striking out "June 30" and inserting "August 31."

Amend Sec. 3 (Sec. 1715), page 12, line 4, by striking out "June 30" and inserting "August 31."

Amend Sec. 3 (Sec. 1715), page 13, line 4, by striking out "June 30" and inserting "August 31."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. DEVLIN offered the following amendments:

Amend Title, page 1, third and fourth lines of Title, by striking out "employees' eligibility for retirement allowances and".

Amend Title, page 1, last line of Title, by inserting after "service" "and the retirement allowances of certain reemployed persons".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 725, entitled:

An Act amending the "Pawnbrokers License Act," approved April 6, 1937 (P. L. 200), granting to police commissioners in cities of the first class or their designated representatives certain investigative powers with respect to pawnbrokers.

### RECONSIDERATION OF VOTE

Mr. EILBERG. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 9), page 2, line 13, by inserting after "Banking" "and in cities of the first class the designated police officers".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### BILL PASSED OVER

There being no objection

House Bill No. 954, Printer's No. 1248, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 988, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," authorizing councils in cities of the first class to regulate the speed of motor vehicles using certain streets and highways within such cities.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—201

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Ashton,	Garlock,	McInroy,	Sakulsky,
Auker,	Gelfand,	McKeever,	Scarcelli,
Balthaser,	George,	McLaughlin,	Schaaf,
Barton,	Gibb,	Machmer,	Schuster,
Bell,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Guthrie,	Maxwell,	Shupnik,
Boris,	Hamilton,	Meholchick,	Silverman,
Bower,	Heavey,	Merry,	Snare,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Breth,	Hocker,	Mills,	Stevens,

Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvls,	Munley,	Stoner,
Cianfrani,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujohal,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varner,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weldner,
Dougherty,	Knecht,	O'Neill,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Eilberg,	Kornick,	Pashley,	Wheeler,
Edwards,	Korns,	Perry, H. H.,	Whittaker,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Petrosky,	Williams, E. S.,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yatron,
Flynn,	Lippincott,	Reidenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Zimmerman,
Fox,	Luigard,	Rigby,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,		

### NAYS—0

### NOT VOTING—7

Brown,	Moran,	Sullivan,	Willard,
Cooper,	Murray, P. G.,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1129, entitled:

An Act amending the act of June 12, 1931 (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospitals \* \* \*," providing for a provisional license.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—201

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Ashton,	Garlock,	McInroy,	Sakulsky,
Auker,	Gelfand,	McKeever,	Scarcelli,
Balthaser,	George,	McLaughlin,	Schaaf,
Barton,	Gibb,	Machmer,	Schuster,
Bell,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Guthrie,	Maxwell,	Shupnik,
Boris,	Hamilton,	Meholchick,	Silverman,
Bower,	Heavey,	Merry,	Snare,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Breth,	Hocker,	Mills,	Stevens,
Buchanan,	Holliday,	Monroe,	Stewart,
Burns,	Holt,	Muldowney,	Stimmel,
Capano,	Horst,	Mullen,	Stone,
Capitolo,	Irvls,	Munley,	Stoner,



Cianfrani,	Isaacs,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Jenkins,	Murphy, P. J.,	Stroup,
Clarke,	Jim,	Murray, H. P.,	Taylor,
Comer,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobai,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varner,
Dennis,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Knecht,	O'Neill,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kornick,	Pashley,	Wheeler,
Ellberg,	Korns,	Perry, H. H.,	Whittaker,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Petrosky,	Williams, E. S.,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yatron,
Flynn,	Lippincott,	Reldenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Zimmerman,
Fox,	Luigard,	Rigby,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,	McCandless,		

## NAYS—0

## NOT VOTING—7

Brown,	Moran,	Sullivan,	Willard,
Cooper,	Murray, P. G.,	Thompson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1191, Printer's No. 967,  
House Bill No. 1430, Printer's No. 1251,  
House Bill No. 1457, Printer's No. 1252, and  
House Bill No. 1542, Printer's No. 1253,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207), extending the term of the lien of certain municipal claims the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to six years.

## RECONSIDERATION OF VOTE

Mr. FINEMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend the title, on page 2, line 5, by inserting after the word "claims," the words "to six years and."

Amend the title on page 2, line 7, by deleting the word

"filing," and inserting in lieu thereof the word "revival." Amend the title, on page 2, line 8, by deleting the word "six," and inserting in lieu thereof the word "twenty."

On page 3, line 19, delete the word, "reviewed," and insert in lieu thereof, the word, "revived."

On page 3, line 20, delete the word "six," and insert in lieu thereof the word "twenty."

On page 6, line 15, delete the word "six," and insert in lieu thereof the word "twenty."

In page 6, line 17, delete the word "six," and insert in lieu thereof the word "twenty."

On page 6, line 19, delete the word "six," and insert in lieu thereof the word "twenty."

On page 7, line 7, delete the word "six," and insert in lieu thereof the word "twenty."

On page 9, line 6, delete the word "six," and insert in lieu thereof the word "twenty."

On page 10, line 20, delete the word "six," and insert in lieu thereof the word "twenty."

On page 11, line 10, delete the word "six," and insert in lieu thereof the word "twenty."

On page 11, line 15, delete the word "six," and insert in lieu thereof the word "twenty."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILL ON FINAL PASSAGE POSTPONED

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1379 on page 17 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOLDSTEIN.

The House resumed the consideration on third reading of House Bill No. 1379, entitled:

An Act providing for the assignment of counsel to indigent persons accused of crime.

## RECONSIDERATION OF VOTE

Mr. GOLDSTEIN. Mr. Speaker, I move that the vote by which this passed finally be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. GOLDSTEIN asked unanimous consent to offer amendments at this time?

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "indigent".

Amend Sec. 1, page 1, line 1 by striking out "an indigent" and inserting: "the".

Amend Sec. 1, page 1, line 4 by inserting after "proceeding" "subsequent to indictment".

Amend Sec. 2, page 2, line 1 by striking out "indigent".

Amend Bill, page 2, by inserting after line 5:

"Section 3. As used in this act the word "court" means any court of common pleas, court of quarter sessions of

the peace and general jail delivery, court of oyer and terminer, the Municipal Court of Philadelphia and the County Court of Allegheny County."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1633, on page 22 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1633, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace magistrates and aldermen and repealing certain prior acts.

On the question,

Will the House agree to the bill on third reading?

Mr. GELFAND asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 4, page 2, line 7, by inserting after "form" "except that nothing herein contained shall prohibit any court from using existing forms if they have endorsed thereon substantially the same material as included in the following form".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1853, on page 24 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1853, entitled:

An Act amending the "Oleomargarine and Butterine Law" approved June 30, 1947 (P. L. 1154) by adding and redefining terms and increasing fees.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. FARABAUGH. Mr. Speaker, I move that this bill

be recommitted to the Committee on Agriculture and Dairy Industries for the purpose of further study.

The motion was agreed to.

### BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar that have not been acted upon will be passed over.

The Chair hears none.

### REPORT FROM COMMITTEE

Mr. FILO from the Committee on Game and Conservation, reported as amended, House Bill No. 1701, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), extending the period for shooting on regulated shooting grounds.

### STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, today as we passed House Bill No. 1285, a bill dealing with amendment to the Sales and Use Tax, our Democratic Members of the House were very hopeful that they would also consider the resolution which we passed over, proposing an amendment to the Constitution, for it is our firm belief that the graduated income tax, as this resolution proposes, is a type of change in the Constitution of the state of Pennsylvania which we feel has long been needed, a bill in which we hoped today we would have passed and started the machinery for a change in the Constitution. For many years, many, many years, this Party of which we are Members, the Democratic Party has been a Party that has been committed to a change in the Constitution in favor of a graduated income tax to permit the people of Pennsylvania to vote on this issue, for we believe that this is the fairest tax of all.

I am certainly confident that in the 1959 Session we shall have an opportunity to pass this resolution proposing a change in the Constitution, and there are many people, many, many people, in this Commonwealth who have worked hard and long in their beliefs that a graduated income tax is the source of taxation that this Commonwealth must eventually face for many years to come, an opportunity which it has been denied because it is specifically outlined as prohibited in our Constitution.

The Democratic Party and the Democratic Members of this House are hopeful that that commitment will be given, that such a joint resolution shall pass through the House and the Senate and be placed on the ballot at the proper time for the citizens to vote. The decision will then be theirs, and if they decide favorably, it would change our Constitution; if they decided against the change, then the position that we have taken for a great number of years would not be the will of the people. Their expression would come when they vote on the amendment to the Constitution.

Mr. Speaker, to every Democrat Member on this side of the House, our position is distinctly clear in that we ask and want them to support such a measure to give the people of this Commonwealth that opportunity.

### STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. In reply to the Majority Leader, I am not going to have very much to say. I think we



will stand on his statements today. The Members on the Democratic side would like to see put around the necks of the people of Pennsylvania a graduated income tax over and above and in addition to the confiscatory graduated income tax that the federal government now imposed. I do not know whether the people would vote for it or not. That, of course, would be up to the people, and I am not going to say how our caucus will vote on it. It has been up to the people directly and indirectly a number of times already down through the years and it has been voted down.

I am not saying how our caucus will vote on it next week, but we will stand on the record over the weekend that you would like to see a graduated income tax in Pennsylvania.

Mr. McCANN. Mr. Speaker, I certainly thank the Majority Leader for his statement. The resolution carries very clearly the proposed change in the Constitution in which the people would saddle themselves with that which they believe to be the fairest of all, the graduated income tax.

#### ADJOURNMENT

Mr. FRANK. Mr. Speaker, I move that this House do now adjourn until Monday, August 10, 1959, at 3:30 p. m. E.S.T.

The motion was agreed to, and (at 3:29 p m., E.S.T.) the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, AUGUST 10, 1959.

No. 76.

## SENATE

MONDAY, August 10, 1959.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. RAYMOND A. MAY, JR., Pastor of St. James Lutheran Church, Huntingdon, offered the following prayer:

Let us pray.

Heavenly Father, we thank Thee for the privilege of serving Thee and the constituency of this Commonwealth. We pray for divine guidance in all of our deliberations.

Strengthen our hands, overrule our errors and lead us that we may do that which is right and acceptable in Thine eyes and for the good of those who look to us, for Jesus' sake. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 1115,  
RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 1115, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 1.49 acres more or less of land situate in Abington Township, Lackawanna County.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence, bills of the House, as follows:

House Bill No. 988, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) authorizing councils in cities of the first class to regulate the speed of motor vehicles using certain streets and highways within such cities.

Which was committed to the Committee on Highways.

House Bill No. 1129, entitled:

An Act amending the act of June 12, 1931 (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals . . .," providing for a provisional license.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1285, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing the definition of purchase price to include within such definition the value of personal property taken as a trade-in or exchange.

Which was committed to the Committee on Finance.

House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Society of the 28th Division A.E.F. Inc. to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect, prepare and file data concerning burial places of military, naval and other combat personnel with the county commissioners.

Which was committed to the Committee on Local Government.

## BILL SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 345, Printer's No. 695.

## GENERAL COMMUNICATIONS

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:



400 East 24th Street  
Ocean City, New Jersey  
August 5, 1959.

My dear Mr. Watson:

It was certainly kind of the members of the Senate to remember my 80th birthday. I was deeply touched by the sentiments expressed in the resolution and I shall always cherish the copy which you so kindly sent to me.

Sincerely yours,  
/s/ Raymond MacNeille

The Chair also laid before the Senate the following communication, which was read by the Clerk as follows:

Pennsylvania State Police  
Harrisburg

Office of Commissioner August 5, 1959.  
Mr. Edward B. Watson  
Secretary  
Senate of Pennsylvania  
Harrisburg, Pennsylvania

Dear Secretary Watson:

The undersigned hereby acknowledges the receipt of the Resolution adopted by the Senate on July 27th, and forwarded to this office on July 28th.

Please convey this acknowledgment to the members of the Senate, and inform them that this office will comply with the wishes of the Senate in carrying out the purpose of this Resolution.

Sincerely,  
/s/ Frank G. McCartney  
Frank G. McCartney  
Commissioner

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

##### MEMBER OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry Gouley, Media, Delaware County, for appointment as a member of the Board of Trustees of Norristown State Hospital, from June 21, 1957, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

##### JUSTICE OF THE PEACE

August 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George Liberatore, Box 77, Beallsville, Washington County, for appointment as Justice of the Peace in and for the Borough of Beallsville, Washington County, until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

##### MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Jesse D. Reber (Republican), 3401 Cloverfield Road, Harrisburg, Dauphin County, for reappointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1963, or until his successor shall have been duly appointed and qualified.

DAVID L. LAWRENCE.

##### MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald E. Hittle, 315 Main Street, Sharpsville, Mercer County, for appointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

##### MEMBERS OF THE BEAVER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Beaver County Board of Assistance:

Miss Kathryn Ann Ross (Dem.), Ambridge, Beaver County, from July 25, 1958, until December 31, 1960, and until her successor is duly appointed and qualified.

George W. Barber (Dem.), Monaca, Beaver County, from July 25, 1958, until December 31, 1959, and until his successor is duly appointed and qualified.

Edward Kulik, (Dem.), Beaver Falls, Beaver County, from July 25, 1958, until December 31, 1959, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.

##### MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Harvey Szweda, 1701 West Hunting Park Avenue, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Funeral Directors, until August 31, 1962, or until his successor is appointed and qualified, vice W. Judson Dean, Philadelphia, whose term expired.

DAVID L. LAWRENCE.

##### MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William A. Schnader, 8009 St. Martin's Lane, Chestnut Hill, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Commissioners on Uniform State Laws, for a term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

# MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Matthew Francis Gutowicz, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

# MEMBER OF THE BOARD OF ARBITRATION OF CLAIMS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John P. McGrath, 7308 Asbury Avenue, Philadelphia 26, Philadelphia County, for reappointment as a member of the Board of Arbitration of Claims, to compute from July 21, 1959 until July 21, 1965, and until his successor shall be duly appointed and qualified.

DAVID L. LAWRENCE.

# MEMBERS OF THE ADVISORY BOARD ON PROBLEMS ON OLDER WORKERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Board on Problems of Older Workers, from June 21, 1957, for the term of four years or until their successors are appointed and qualified:

Joseph H. Britton, University Park, Centre County.  
B. Frank Rosenberry, Palmerton, Carbon County.

DAVID L. LAWRENCE.

# MEMBER OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

August 5, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Susan E. Kiess (Republican), R. D. 1, Muncy, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Mary S. Sharpless, Williamsport, whose term expired.

DAVID L. LAWRENCE.

# REPORTS FROM COMMITTEES

Mr. CONFAIR, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 875, entitled:

An Act amending the act of June 3, 1943 (P. L. 847), entitled, as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase, own, install, maintain and lease equipment and accessories for suitable business enterprises for the blind . . ." further regulating loans and leases made to blind persons.

He also, from the Committee of Public Health and Welfare, reported as committed, House Bill No. 876, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), permitting the attendance of representatives of organizations for the blind at meetings of the State Council for the Blind, further regulating the vote required for certain actions by the State Council for the Blind and regulating relations between the council and organizations for the blind.

He also, from the Committee of Public Health and Welfare, reported as committed, House Bill No. 1360, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), giving powers to and imposing duties on the Department of Health in connection with rehabilitation of persons with hearing or speech defects.

He also, from the Committee on Law and Order, reported as committed, House Bill No. 2201, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), further regulating obscene exhibitions.

He also, from the Committee on Law and Order, reported as committed, House Bill No. 2237, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), clarifying and revising the provisions relating to obscene literature and objects, and increasing the penalty for violating the provisions.

# PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, within the past ten days, we had some sad experiences in Philadelphia because of the use of starter pistols by minors. It appears that through some slight mechanical change, a starter pistol can be converted into a dangerous and killing weapon.

Mr. President, I, therefore, am about to introduce a bill to amend the Penal Code so as to prohibit the sale of starter pistols to minors.

# BILLS INTRODUCED AND REFERRED

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 1051, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the sale of starter pistols to minors.

Which was committed to the Committee on Judiciary General.

Messrs. KELLER and BERGER read in place and presented to the Chair Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," clarifying the provisions excepting certain work from the provision which makes worldly employment unlawful on Sunday.

Which was committed to the Committee on Law and Order.

Messrs. WHALLEY, KESSLER, LANE and WALKER read in place and presented to the Chair Senate Bill No. 1053, entitled :

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the issuance of passenger registration plates for certain commercial motor vehicles.

Which was committed to the Committee on Highways.



Messrs. ELLIOT, PECHAN and Watkins read in place and presented to the Chair Senate Bill No. 1054, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the education and training of children with language disorders and the payment for such training and education and certain reimbursements of and payments to school districts by the Commonwealth; imposing duties on school districts and county board of school directors; providing for payment for medical care and treatment of children with language disorders and for payment for higher education of such children.

Which was committed to the Committee on Education.

Messrs. ELLIOTT and SHAFER read in place and presented to the Chair Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138), entitled "An act providing for payment of costs in criminal cases by the proper county," providing for payment of costs in non-support cases.

Which was committed to the Committee on Judiciary General.

Messrs. MAHADY and FLEMING read in place and presented to the Chair Senate Bill No. 1056, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987), entitled as amended, "Sanitary Water Law," further regulating and defining rights and duties with respect to the Commonwealth.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. RIPP and SARRAF (By request) read in place and presented to the Chair Senate Bill No. 1057, entitled:

An Act amending the act of December 14, 1863 (1864, P. L. 1127), entitled "An act relating to the liens of common carriers, and others, "reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

Which was committed to the Committee on Judiciary General.

They also (By request) read in place and presented to the Chair Senate Bill No. 1058, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the removal of wrecked vehicles and tractors from the highway.

Which was committed to the Committee on Highways.

Messrs. VAN SANT, SCOTT, FLACK, WHALLEY and WAGNER read in place and presented to the Chair Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," increasing the rate of compensation, and further regulating reports, examinations and testimony of physicians.

Which was committed to the Committee on Labor and Industry.

Messrs. WADE and WEINER read in place and presented to the Chair Senate Bill No. 1060, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for appeals from suspensions in certain cases; changing the penalty pro-

visions with relation to vehicles or tractors of excessive size or weight and making editorial corrections.

Which was committed to the Committee on Highways.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

### APPROVAL OF SENATE BILLS Nos. 95 and 405

August 6, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 95, Printer's No. 1106, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof."

DAVID L. LAWRENCE.

August 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 405, Printer's No. 670, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' prohibiting certain business activities on Sunday."

DAVID L. LAWRENCE.

## SENATE CONCURRENT RESOLUTION

### TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, August 10, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 17, 1959 at TWO o'clock P. M., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 17, 1959 at THREE-THIRTY o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO VICE PRESIDENT RICHARD NIXON FOR THE IMPROVED AND BETTER RELATIONS HE HAS ESTABLISHED BETWEEN OUR NATION AND RUSSIA

Messrs. PECHAN, BERGER and TAYLOR offered the following resolution (Serial No. 49), which was read as follows:

In the Senate, August 10, 1959.

Whereas, we have all learned through the press, radio and television of the remarkable achievements of Vice President Richard Nixon during his current visit to Russia and Poland and,

Whereas, we are convinced he has left a splendid impression on the peoples of both nations and initiated a chain reaction which will keep Russia talking for a long time and perhaps lead to peace in our time, and,

Whereas, it is fact that so long as we keep Russia talking there will be no shooting war,

Therefore; the Senate of Pennsylvania extends to Vice

President Nixon its sincere congratulation for the improved and better relations he has established between our nation and Russia.

On the question,

Will the Senate agree to the resolution?

Mr. WEINER. Mr. President, I have no objection to this resolution, but I would like to make a comment on it.

Mr. President, I think this is a lesson which all of us might take a moment to study. I can remember when this very same gentleman was out doing his witch hunting and was very anxious to put the tag of Communist on everybody who was not a Republican. Anyone who was even close to the Party that was not his own, either suffered from being a Communist or from being a Communist by association. I think it was wrong of the gentleman to take that position at that time. I think history will bear out that he went at it pretty viciously out in California against a rather outstanding Democrat.

At this late stage of the game, I am very happy to say perhaps he is mending his ways and I am happy to see that. However, I think we should be very careful about calling names and throwing stones, because sometime we are liable to find ourselves inside of that glass house, without any shades, hoping that everyone will see us.

Mr. BARR. Mr. President, I request that the Secretary of the Senate send a copy of this resolution to Helen Gahagan Douglas.

Mr. BERGER. Mr. President, as one of the sponsors of this resolution, I am very happy to note that the Minority Leader is complying with the spirit, at all times, of the resolution and is solving the difficulties with words.

Mr. LANE. Mr. President, it is my opinion that the Vice-President's junket was a brain child of the soap box opera people, and I think that the primary purpose of it was to stop Rockefeller.

Mr. MULLIN. Mr. President, I think this resolution is premature. I do not know whether those good relations exist, and I think we are more or less jumping the gun.

I do not like to vote against any resolution which deals with good will and, therefore, I do not wish to vote at all. I would like to be recorded as not voting.

The PRESIDENT. The gentleman will be so recorded.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

## EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

## MEMBER OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry Gouley, Media, Delaware County, for appointment as a member of the Board of Trustees of Norristown State Hospital, from June 21, 1957, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

August 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George Liberatore, Box 77, Beallsville, Washington County, for appointment as Justice of the Peace in and for the Borough of Beallsville, Washington County, until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

## MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse D. Reber (Republican), 3401 Cloverfield Road, Harrisburg, Dauphin County, for reappointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1963, or until his successor shall have been duly appointed and qualified.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald E. Hittle, 315 Main Street, Sharpsville, Mercer County, for appointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

## MEMBERS OF THE BEAVER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Beaver County Board of Assistance:

Miss Kathryn Ann Ross (Dem.), Ambridge, Beaver County, from July 25, 1958, until December 31, 1960, and until her successor is duly appointed and qualified.

George W. Barber (Dem.), Monaca, Beaver County, from July 25, 1958, until December 31, 1959, and until his successor is duly appointed and qualified.

Edward Kulik, (Dem.), Beaver Falls, Beaver County, from July 25, 1958, until December 31, 1959, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.



MEMBER OF THE STATE BOARD OF  
FUNERAL DIRECTORS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Harvey Szweda, 1701 West Hunting Park Avenue, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Funeral Directors, until August 31, 1962, or until his successor is appointed and qualified, vice W. Judson Dean, Philadelphia, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF COMMISSIONERS  
ON UNIFORM STATE LAWS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William A. Schnader, 8009 St. Martin's Lane, Chestnut Hill, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Commissioners on Uniform State Laws, for a term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF  
CHIROPODY EXAMINERS

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Matthew Francis Gutowicz, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Chiropractic Examiners, from June 21, 1957, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF ARBITRATION  
OF CLAIMS

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John P. McGrath, 7308 Asbury Avenue, Philadelphia 26, Philadelphia County, for reappointment as a member of the Board of Arbitration of Claims, to compute from July 21, 1959 until July 21, 1965, and until his successor shall be duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE ADVISORY BOARD ON  
PROBLEMS OF OLDER WORKERS

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Board on Problems of Older Workers, from June 21, 1957, for the term of four years or until their successors are appointed and qualified:

Joseph H. Britton, University Park, Centre County.  
B. Frank Rosenberry, Palmerton, Carbon County.

DAVID L. LAWRENCE.

MEMBER OF THE LYCOMING COUNTY BOARD  
OF ASSISTANCE

August 5, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Susan E. Kiess (Republican), R. D. 1, Muncy, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Mary S. Sharpless, Williamsport, whose term expired.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

## RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on State Government, to be held in the Conference Room at the rear of the Senate, and a meeting of the Committee on Finance, to be held in the Committee Room on E Floor, and also one other Committee Meeting to be announced later.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

## BILL INTRODUCED AND REFERRED

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STEVENSON and MALLERY read in place and presented to the Chair Senate Bill No. 1061, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing additional enforcement procedures for traffic violations in boroughs, towns and townships.

Which was committed to the Committee on Highways.

### PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, the bill I am about to introduce is the one which I promised to introduce last week, regarding accidents on side streets.

### BILLS INTRODUCED AND REFERRED

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BARR and FLEMING read in place and presented to the Chair Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic.

Which was committed to the Committee on Highways.

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 1063, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a route in Cambria County.

Which was committed to the Committee on Highways.

### PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, I have been instructed by the Committee on Finance to report House Bill No. 1285, as committed.

In reporting this bill out, we are doing so at this time simply to save a day or two, if possible, in getting the tax measure through. It is the understanding of the Committee that this bill will be recommitted tomorrow, after having been read for the first time. We hope to have it ready for further action by the Senate on Monday, August 17, 1959.

I should add, however, that there is no assurance as to the number of votes on either side that might be in favor of this bill. That will have to be determined, I think, when the bill comes up for final consideration. I mention that simply because I do not want people to get the impression that we are handling this bill as we did the prior tax bill, and getting it through in a day or two. This is a little more involved and will take a little more

work. Whether we will have enough votes to pass it remains to be seen when the bill comes up for final action.

### REPORTS FROM COMMITTEES

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Finance, reported as committed, House Bill No. 1285, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing the definition of purchase price to include within such definition the value of personal property taken as a trade-in or exchange.

Mr. MADIGAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MADIGAN, from the Committee on State Government, reported as committed, Senate Bill No. 1032, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1033, entitled:

An Act amending the act of June 27 1947 (P. L. 1046) entitled "State Tax Equalization Board Law," increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.

He also, from the Committee on State Government, reported as committed, House Bill No. 1561, entitled:

An Act authorizing the Dept. of Property and Supplies, . . . to assign, transfer and set over to the Pa. Game Commission the use, control and jurisdiction of 158.89106 acres, more or less, of land situate in Limerick Township, Montgomery County.

He also, from the Committee on State Government, reported as committed, House Bill No. 1579, entitled:

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), requiring that the commission permit certain promotions.

### SENATE CONCURRENT RESOLUTION

#### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE HIGHER EDUCATION SYSTEM IN THE COMMONWEALTH

Mr. BERGER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BERGER, ELLIOTT, HAYES, SEYLER, SILVERT, SHAFER and WEINER offered the following resolution (Serial No. 116) which was read and referred to the Committee on Rules:

In the Senate, August 10, 1959

Whereas, It has been predicted that college enrollments in the Commonwealth will greatly increase during the decade ahead; and



Whereas, The predictions of increases in college enrollment range from 57 percent to 127 percent; and

Whereas, It has been alternatively proposed that State-owned institutions be expanded, that State-aided institutions be expanded and that junior colleges be established, either independently or as an adjunct to the public school system; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed:

(1) To evaluate the predictions of increased college enrollments for the next decade, and to develop data relating the demand for higher education in Pennsylvania to the types of instruction required, geographic location of students and institutions, and financial ability of families to underwrite the costs of higher education;

(2) To determine the extent to which various quality standards would modify the predicted enrollment increases;

(3) To determine the preferences, abilities, and performance characteristics of the college-age population and the types of institutions which will best meet the demands for post-high school training of students of varying characteristics;

(4) To ascertain the advantages and disadvantages associated with different methods of providing post-high school opportunities including, but not limited to, expansion of State-owned institutions, expansion of State-aided institutions and full cost scholarships applicable at all accredited institutions;

(5) To evaluate present levels of efficiency, including both staff and plant utilization, and to develop organizational and operational patterns that will provide incentives to insure optional personnel and plant performance;

(6) To investigate the fiscal potential of State and local governments and private individuals and organizations to provide additional support for higher education; and

(7) To investigate alternative sources of revenue available to the State Government to provide additional support for higher education; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations together with drafts of any legislation deemed necessary to carry its recommendations into effect.

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 170, Printer's No. 1053, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 345, entitled:

An Act amending the act of July 25, 1913 (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women \* \* \*" making sheriffs responsible for the transportation of women prisoners to the Industrial Home.

Which was returned from the House of Representatives with amendments.

Said amendments having been read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 345

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 345.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 513, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" increasing the amount that cemetery and burial corporations must set apart for perpetual care and preservation of the grounds and buildings.

Which was returned from the House of Representatives with amendments.

Said amendments having been read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 513

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 513.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,

Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Sarraff,  
Scott,  
Seyler,  
Shafer,

Watkins,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 579, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" further regulating pension rights.

Which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 579

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 579.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, ad were as follows, viz:

#### YEAS—50

Barr,  
Berger,  
Blass,  
Camel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraff,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 323, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code," extending the time

in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidences of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RIPP. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 9 (Sec. 1001), page 13, by inserting between lines 5 and 6: "(8) To borrow money and pledge its assets therefor in an amount which at any one time shall not exceed an amount equal to twenty-five per cent of the unimpaired capital and unimpaired surplus during a continuous period not exceeding three months unless a longer period is approved by the department. Such borrowings must have received the prior approval of the board of directors."

On the question,

Will the Senate agree to the amendment,

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. RIPP. Mr. President, I ask unanimous consent that House Bill No. 323, Printer's No. 1239, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 543, Printer's No. 579, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No 703, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" providing that title to property taken by eminent domain may be vested in an Authority by order of court upon payment of seventy-five per cent of the appraised value of such property.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,



On the question,  
Shall the bill pass finally?

Mr. WEINER. Mr. President, I would like to point out on this piece of legislation, which was amended about a week or so ago, that the words "filing of a bond" were stricken out and substituted therefor were the words: "Paying not less than seventy-five per cents of the appraised value of such property." I think all of us are familiar with urban redevelopment and the work of the Authorities. I think we all realize they operate through eminent domain proceedings, and that the person whose home or place of business is taken receives a certain amount of money.

The original filing of a bond was for the purpose of insuring that the home owner or the owner of a piece of real estate would receive what was due him when all of the litigation was completed, which may run over a period of two or three years.

I would like to state my objection to this amendment. As the bill is amended, the placing of seventy-five per cent of the value with the court, I think, will in great measure hamper the work of the Authority. This is similar to measures which we have had here before, and against which I spoke, in placing a large sum of money with the court where roads were being built. Not that I feel that the owner should not receive what is justly due him; however, by the same token, I think we must take into consideration that any kind of legislation, or any of our actions which might impede the work of the Authority, should be looked at very carefully and scrutinized carefully.

It might be that the appraised value—and we do not have before us just who will do the appraisal, although I assume and hope it will be the Authority—would be a large sum of money to put away for a period of time while the matter is litigated and, in the end, it might be substantially less than was the amount that should have been paid.

I think, therefore, the amendment is bad and I think it does not make for good legislation.

Mr. WALKER. Mr. President, I prepared the amendment striking out the bond and putting in the seventy-five per cent. It is true that the Authority, in its efforts of taking property, is in the way of the march of progress. However, we must think of the people, too. When they are dispossessed and their homes taken, they have got to go somewhere, and to wait three, four, five or six years on a condemnation procedure seems to me eminently unfair and unnecessary.

I believe the amendment is good. I believe it strikes to the end of serving people rather than the Authorities or other corporate industries.

Mr. WEINER. Mr. President, if that is what the gentleman has in mind, might I suggest to him that he put, at the end of his amendment, when the Authority takes possession that this be done. If you are just going to place seventy-five per cent at any stage of the proceedings and you do not set out when this is to be done, you are tying up a lot of this money and making life a little more difficult for the Authority, not only that they should not be put in a different position if they are hurting someone. However, if it is done at the time they take possession, then at that moment the home owner is in a position where he has to do something. Up to this point, he does not have to take action. There have been many

cases where the Authority has not moved in an the litigation has taken quite some time, and has not been resolved until later on when the home owner moved out.

Under this amendment, you are tying up all this capital without suggesting when this payment will take place.

I would suggest to the gentleman that if he would offer an amendment, stating that payment should be made at the time possession is taken by the Authority, I think it would be equitable all the way around, both for the Authority and the people involved.

Mr. BERGER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—42

Barr,	Kalman,	McMenamin,	Stevenson,
Berger,	Keller,	Mullin,	Taylor,
Blass,	Kessler,	Murray,	Van Sant,
Chapman,	Koprivier, Jr.,	Pechan,	Wade,
Confair,	Kromer,	Propert,	Wagner,
Ehrgood,	Lane,	Ruth,	Walker,
Elliott,	Madigan,	Sarraf,	Watkins,
Flack,	Mahady,	Scott,	Weiner,
Fleming,	Mallery,	Shafer,	Whalley,
Harney,	McCreesh,	Silvert,	Wolfe,
Hays,	McGinnis,		

#### NAYS—2

Seyler, Stiefel,

A majority of all the Senators having voted 'aye', the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Order" further providing for the lending of money by banks and bank and trust companies.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I am troubled by this piece of legislation in so far as what we are now about to vote on is already being done in the Philadelphia area. I am a little confused as to whether something is done first and we vote and make it legal, or whether people wait until we take some action and then they proceed with what we say they can do.

This legislation allegedly supplies ready money to those people who otherwise might not have funds. It works somewhat in this manner: A person goes to the bank and makes a loan. "X" or "Y" dollars, whatever amount has been approved, is deposited to his account and he is issued a checkbook, and he is able to write checks against this amount which is allegedly deposited in his name. It is only a bookkeeping entry. The borrower pays,

I think, ten cents for every check. He pays a small carrying charge and he also pays interest of about six per cent on the unused balance or the balance which has not been needed up to that time. I believe also some of the banks in the city of Philadelphia have an insurance clause which goes with it. The borrower must take a certain amount of insurance in order to obtain this type of loan. I think this amounts to about ten per cent of the loan. If I am mistaken in my figures, I am sure someone here will correct me. I think the ten per cent is a little excessive over the period of the loan.

I am at a loss to know why we should pass this legislation if this is already being done in most of the communities, because I hear it advertised on the radio and television all of the time, unless I just listen to special stations. If this is already the type of thing that is happening, why should it be necessary for us to spend the time and money of the Commonwealth in printing these bills, concerning ourselves with it, enacting it into law, asking that the House do likewise and asking the Governor to sign it?

Mr. BERGER. Mr. President, I share some of the misapprehensions expressed by my colleague, Senator Weiner, on this bill. I assume the intention of it is to make the assurance of it doubly sure, and that in this method or device of loaning money to bank customers in a convenient manner, as it apparently is,—having already been in vogue in Philadelphia, Pittsburgh and some other areas—and the banks want to be certain that there is no question whatever as to the legality of their loans and they have requested that this bill be introduced. That, then, and for no other reason, Mr. President, accounts for its appearance on this Calendar.

Mr. WADE. Mr. President, Senator Weiner invited some correction, if there was any to be offered, on the matter of the insurance on the loan. There is no special provision for loans of this kind in this bill. However, the insurance is accredited life insurance carried by many, many banks and usually does not run ten per cent of the loan. The amount of insurance carries the balance of the unpaid loan. Also, the rate of the insurance runs about net, after dividends are deducted, or approximately seventy cents per hundred. It is very, very low cost insurance and merely covers the balance of the loan in case of death.

Mr. MAHADY. Mr. President, I do not think that we should vote on this bill under the misapprehension that the banks are merely exercising an abundance of caution. Clearly what they are doing is illegal, because even under this legislation they are permitted, and I quote "to lend money to a borrower with or without a note" on his check. There is no question but what that is embezzlement on the part of the bank officials when they do it without this act. Many of the embezzlements that have taken place in the past were due to the recognizing of an overdraft, and an overdraft is being legalized by this legislation.

Overdrafts in American banking have always been considered one of the most dangerous aspects of banking. There is no question about the fact that the Bank of England permits an overdraft to be recognized as a loan upon arrangements being made ahead of time, to the amount of \$250. However, there must be an active account and the overdraft is upon that account. It is not similar to what we have here. The idea here is that a person can call a bank and get a line of credit. Once that

credit is established, the borrower can draw on it and it will be re-financed from time to time depending upon the amount that is owed.

If this is sound banking, I am not going to question that merely by saying it recognizes an overdraft. On the part of people, however, it tends to discourage thrift, which we were brought up to believe is the essence of any banking system, wherein by accumulating thrift in surpluses the banks have money to lend.

There has been today, in consumer credit, the largest outstanding balance the world has ever known. The cry is that we need more credit available for mortgages and we need it for business. There is not enough credit.

In this Session of the Legislature, we find the whole emphasis has not been upon thrift and the idea of making money available for industry and for everyday business, and for mortgages to provide housing, but rather we have been deluged with extending the possibilities of making consumer credit more available and more easy to obtain, thus making debt easier.

For that reason, and because I think that the progress of the community and of our nation depends upon the credit available to industry and to housing first, particularly when there is a dearth of that type of credit, we should not take the available money that the banks do have and permit them—and the inclination will be that way—to lend money where it gets the highest return. Six per cent discounted, which is close to 12.5, is the higher return over a mortgage or the lending of credit to industry and to merchants.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—38

Barr,	Keller,	Pechan,	Stevenson,
Berger,	Kessler,	Probert,	Taylor,
Blass,	Koprivier, Jr.	Ripp,	Van Sant,
Camiel,	Kromer,	Rooney,	Wade,
Chapman,	Lane,	Ruth,	Wagner,
Confair,	Madigan,	Sarraf,	Walker,
Elliott,	Mallery,	Scott,	Watkins,
Flack,	McCreesh,	Shafer,	Whalley,
Fleming,	McGinnis,	Silvert,	Wolfe,
Harney,	McMenamin,		

#### NAYS—8

Hays,	Mahady,	Murray,	Stiefel,
Kalman,	Mullin,	Seyler,	Weiner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows, infant children or dependents.

And said bill having been read at length the third time,



On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHADY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the admendment as follows:

Amend Section 1 (Section 1411), page 3, line 16, by striking out "condemnation".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that Senate Bill No. 1078, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The chair hears none.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 972, Printer's No. 1141, and third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Stevenson,
Camlel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Highways, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

### REPORTS FROM COMMITTEE

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Highways, reported as committed, Senate Bill No. 1037, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

He also, from the Committee on Highways reported as committed, Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

### SECOND READING CALENDAR

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 141, entitled:

An Act imposing liability upon parents for the wilful and malicious acts of children over seven and under seventeen years of age setting forth limitations and providing procedure for recovery.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. PECHAN and SILVERT offered the following amendments:

Amend Bill, page 1, lines 1 to 3; page 2, lines 1 to 20; page 3, lines 1 to 20; and page 4, lines 1 to 10 by striking out all of said lines and inserting:

"Section 1. The Commonwealth, its political subdivisions and any person whose property is wilfully or maliciously destroyed by a child under the age of eighteen years, may recover from the parents of such child the actual damages to the property in an amount not to exceed two hundred fifty dollars (\$250) in an action in

assumpsit if such child is living with his parents at the time the property is destroyed.

"The provisions of this act shall not limit to any extent any common law liability of a parent for damages caused by his or her child.

"Section 2 Whenever any action under this act is brought before a magistrate, alderman or justice of the peace, the decision thereon may be appealed to the court of common pleas of the proper county or the County Court of Allegheny County or the Municipal Court of Philadelphia."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. PECHAN and SILVERT offered the following amendment:

Amend Title, page 1, first, second and third lines of Title, by striking out all of said lines and inserting "Authorizing the recovery of damages from parents of children destroying property."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 141, Printer's No. 489, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 573, Printer's No. 1230, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 623, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 816, Printer's No. 942, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 891, entitled:

An Act providing that no township of the second class or any part thereof shall be annexed by any city borough or township without the consent of the electors of the entire township and prescribing the manner of commencing annexation proceedings.

The first section was read.

On the question,

Will the Senate agree to the section?

### BILL RECOMMITTED

Mr. WALKER. Mr. President, being one of the two sponsors of this bill, and after reflection and advice from all over the Commonwealth, it is my considered opinion that it should be recommitted to committee for further study.

Therefore, Mr. President, I move that this bill be recommitted to the Committee on Local Government for the purpose of further study.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I think that the passage of this bill would leave the House in the position of deciding whether it was this bill they wanted or whether it was the bill we passed last week, which is inconsistent with this, too. I do not think we should allow them dealers' choice. I think we should make up our minds on what we want to do.

Mr. BERGER. Mr. President, I cannot agree with the gentleman. I believe in giving the House of Representatives all the latitude and choice it requires or needed. At the same time, I do agree that this bill is inconsistent with the one which we passed giving the townships power to annex adjacent territory and, consequently, I agree with the gentleman on this premise.

Mr. WEINER. Mr. President, I do not want to continue this tennis match at any length, but I certainly hope the House will use due wisdom on the other bill, as they might have used on this one.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," further regulating increase of capital stock by stock insurance companies.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendment:

Amend Sec. 1 (Sec. 326), page 2, line 8, by striking out "shareholders or by the charter" and inserting: "stockholders".



It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. VAN SANT. Mr. President, I ask unanimous consent that Senate Bill No. 901, Printers' No. 1057, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 902, entitled:

A Act amending the act of May 17 1921 (P L 862) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Sec. 1 (Sec. 406.1), page 3, line 7, by inserting after "business": "permitted under the laws of Pennsylvania."; Amend Sec. 1 (Sec. 406.1), page 3, line 8, by inserting after "and": "such."; Amend Sec. 1 (Sec. 406.1), page 3, line 9, by inserting after "company": "as are authorized under the laws of Pennsylvania."; Amend Sec. 1 (Sec. 406.1), page 3, line 15, by inserting after "dissolved": "in the case of a foreign company."; Amend Sec. 1 (Sec. 406.1), page 3, line 15, by inserting after "or" where it appears the second time: "completely liquidated and dissolved or."; Amend Sec. 1 (Sec. 406.1), page 3, line 16, by inserting after "company": "in the case of a domestic company."; Amend Sec. 1 (Sec. 406.1), page 3, line 18, by inserting after "extended": "for a period of one year and from year to year."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. VAN SANT. Mr. President, I ask unanimous consent that Senate Bill No. 902, Printers No. 1201, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1 1959 (Act No 78) entitled "State Employees' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1002, entitled:

An Act amending the act of June 22 1931 (P L 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1034, entitled:

An Act amending the act of June 27 1947 (P L 1046) entitled "State Tax Equalization Board Law" requiring the use of 1959-1960 valuations in determining reimbursement fractions for the 1960-1961 school year.

The first section was read.

On the question,

Will the Senate agree to the section?

### REQUEST THAT BILL GO OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that this bill on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, this is a very important bill and one which should move as rapidly as possible. It relates to the market values as certified by the State Tax Equalization Board, and makes drastic changes which will cost the various school districts of the Commonwealth a great deal of money, with very few exceptions. We wish to have it move along as fast as it possibly can for that reason.

Therefore, Mr. President, I object to the bill going over in its order.

Mr. SEYLER. Mr. President, my reason for asking that the bill go over in its order is because my reading of the bill convinces me that the bill does not do what it is intended to do. Without discussing the merits of what it is intending to do, I do not believe this bill does it. I think it needs amendment in order to do it. For that reason, it was my purpose, Mr. President, to speak to Senator Wagner today about it. I have inquired and, apparently, Senator Wagner is not going to be available to me today. For that reason, I should like to defer the further movement of this bill until such time as I have had an opportunity to speak to Senator Wagner.

I believe there is a real problem with the present wording of the bill.

Mr. BERGER. Mr. President, I am sure that Senator

Wagner would offer no objection to the offering of amendments on Third Reading of the bill. I would like to have the bill go up to Third Reading and, by that time, of course, Senator Seyler will have had an opportunity to speak to Senator Wagner before we pass the bill.

Mr. SEYLER. Do I understand, Mr. President, that the gentleman said that the bill will not pass Third Reading until I have had an opportunity to confer with Senator Wagner?

Mr. BERGER. I can give the gentleman that assurance, Mr. President.

#### REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. SEYLER. In that case, Mr. President, I withdraw my request to have the bill go over in its order.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. WEINER. Might I just point out, Mr. President, in Senate Bill No. 1034—and I am sorry that Senator Wagner is not here—that what we have talked about here as being a fair formula, in the early part of this Session, has somehow been lost in this legislative shuffle. We now find we have an unfair formula and we now want to change it. I would suggest to the gentleman that they give this some careful consideration.

We have been living under this formula for a number of years. If it is unfair today, it must have been unfair previously. I think the amendments to this bill should be directed in that direction, so that no one is really punished or hurt by keeping it operative if it was unfair in its initial stages, rather than change the rules of the game now because it does not come out to the way it was originally.

Mr. BERGER. Mr. President, I doubt very much whether this bill affects the equalization formula. However, the whole question is upon the certification of the market valuations which result in, as I said before, the increase in market valuations in certain districts and the decrease in other districts. There are some things which should be looked into and, undoubtedly, they will be by both sides. We hope that we will be able to find some way whereby the districts will not suffer, through the loss of revenue which they certainly need, upon the basis of the present market valuations and that the reimbursements to these districts can be made in a manner which is fair and equitable. However, I do not concede that the subsidization formulas, necessarily, are unfair or have been unfair.

Mr. WEINER. Mr. President, I believe if the formula, itself, was fair in the beginning, the component parts making up this formula must also have been fair. If they have now become unfair, they must have been unfair previous to this Session. Therefore, those people who have suffered under the old formula should be taken into consideration if we are going to change any of the component parts now.

My complaint is—and I think the amendments should be drafted with this in mind—that if you are going to

continue to hurt somebody who is now, for the first time, being recognized, I think now is not the time to change the rules of the game because you are being hurt by the game. If we played the game up to this point, let us continue under the same rules that we played before.

Mr. BERGER. Mr. President, I wish to say that in my judgment, at any rate, the formula, as it has existed, does not contain anything unfair nor any rules that are unfair. However, it is the method in which the formula is being applied under these market valuations and certifications that concerns us. In other words, when you have market values decreasing and assessed values increasing, it does not appear that the formula, as applied in that situation, would result in anything very equitable.

Mr. WEINER. Mr. President, I hope that the gentleman will forgive me if I digress for a moment and proceed to represent the city of Philadelphia.

However, Mr. President, we have been hurt, under this formula, for quite some time. For the first time, Allegheny County, Philadelphia, Scranton and most of the urban areas, I would say, are going to get their just desserts, in the full impact of that term. I hope that the gentlemen on the other side do not see that we get our full and just desserts, in the other aspect of that term, and I hope they will see that we get what is coming to us.

We are just trying to apply the same formula which we have been living under all these years. If there is an amendment to the formulae, as we have them in this Commonwealth, then I say that we should amend them possibly, if they are inequitable in some areas, but do not change the rules now because somebody is going to be helped who has been hurt all along. In the city of Philadelphia, we are \$13,000,000 in the hole for money which we need in this coming biennium. We do not have the means of getting it and all this will alleviate for the city of Philadelphia is two and one-half million dollars additional which it will receive under this new formula. Just because we are getting a break for the first time, let us not change the formula. Anybody who goes into any city area will see what redevelopment has done to the taxables and will also see the problems that are concurrent with this, such as moving people out of one area and concentrating them in another area, most of whom are unable to bear their fair share. There is to stigma attached to them on that basis because economically they cannot carry their share. Do not say today that we are going to change this formula because it comes out uneven for me, who has been benefiting by it, and say that the burdens must continue where they have always been, back in the city or urban areas. I do not think that is fair and I think we should not change the component parts unless we change the entire aspect of the formula.

Mr. BERGER. Mr. President, we are very interested in seeing that Philadelphia and Pittsburgh get what is coming to them. I use that expression in the very kindest manner. However, I want to point out that this does not change the formula, Mr. President. It simply fixes the valuations upon the pre-established market values as of the 1957 level. It is not changing the formula. It simply freezes the valuations.

Mr. WEINER. Mr. President, my question to the gentlemen, the sponsors of the bill who are not in the room at the moment,—perhaps one of them is here and maybe he can answer the question for me—is, if they are in-



equitably today, why did we not change them back in the 1957 Session, the 1955 Session or the 1953 Session. Nothing is changed. Yet, if you went into Allegheny County, you would find that over the years, because of the redevelopment program which they have had, among other problems, they have done away with taxables. For instance, in the city of Philadelphia, where the Mall is being built for Independence Hall,—and nobody is against that being done—a tremendous number of buildings have been torn down. These establishments provided great revenue for the city and were a part of the taxable formula that fitted into this formula which they have set up. I have been unable to find anybody who can tell me why we arrived at this formula. However, that is another subject for another time.

Having this formula now and having suffered by it for all these years and when, for the first time, the city of Philadelphia—if I can borrow a term from the brothers around Broad and Locust Streets—is getting a fair shake, I cannot understand now why we should change it to go back to the business as usual. In other words, are the gentlemen saying to me that they are for this formula as long as it comes out all right? Are they saying that the moment it stops coming out all right, they are against it or, if not against it, they certainly want to give it another long look and, perhaps, change some of the components thereto?

Mr. BERGER. Mr. President, the only thing we want to do is to give it a long look and provide for an interval in which the long look may be taken.

I again, however, refer to the fact that if all of these taxables have been removed from the Philadelphia tax rolls, it is difficult to see how the market value can decline and the assessed value increase.

Mr. SEYLER. Mr. President, it seems to me rather absurd to say that this amendment does not change the equalization formula. The equalization formula works in this manner. The Commonwealth sets up a figure at which it feels education should be maintained. In the case of the present law, it is \$5,800. Then it says that upon the market value of the district, a certain percentage of local effort shall be raised. The difference between the amount raised, at that uniform rate on the market value, and the \$5,800 shall be supplied by the State. This means, in effect, that the higher the market value, the lower the amount which the State pays to the district.

In the natural operation of things, the State Tax Equalization Board has set the market value. If you change that and artificially say, "This shall not apply for any given number of years," it seems to me there is no question but that this does make a change in the formula. This is one of the factors of the formula. It operates normally when the Tax Equalization Board brings in the figure. If you artificially say, "No, that cannot apply for a given number of years," then you have certainly interfered with the equalization formula. If this bill is passed, it seems to me that your objective formula for equalization in this Commonwealth is out the window.

Mr. BERGER. Mr. President, I cannot concede that. It is not the formula that is being changed by this bill; it is the base on which the formula is to be applied. In some instances, it appears that the basis to which the formula is to be applied has been rather artificially conceived.

However, I would suggest, Mr. President, since the sponsor of the bill, Senator Wagner, the Chairman of the Education Committee, is not here, that I am agreed that the bill will remain on Third Reading until Senator Seyler has had an opportunity to discuss it with him. If there should, by some conceivable manner, be a change in the formula under this bill, I am sure that he will want to discuss it with Senator Seyler and discuss amendments, to the end that the bill may be in correct form.

Mr. SEYLER. Mr. President, I just want to clarify one thing in Senator Bergers' mind. I wonder if he realizes that my reason for desiring to confer with Senator Wagner has no relationship to the argument on the merits of the bill. I simply believe that in the present wording of the bill, there is an error which will not accomplish the purpose that Senator Wagner and Senator Stevenson, the sponsors, wish to accomplish. This is quite apart from my feeling about the merits of the bill.

Mr. BERGER. Mr. President, in that connection, I might say that we certainly do not want anything in the bill to interfere with the accomplishment of its purpose. Therefore, we would like to have it clarified.

Mr. WEINER. Mr. President, I might suggest, respectfully, to the gentlemen who have been having difficulty with Philadelphia, Allegheny County and some of the other areas which seem to be so troublesome, that if they would amend this formula and let Philadelphia keep all of the tax money and take care of its local problems locally, I think they would never hear a word from us and I think we could manage pretty well in our own area. I think the facts are—and if I am mistaken, some of the gentlemen will hasten to correct me, I am sure—that for every tax dollar that we turn over to the State, we only get back a dollar and in many cases, only fifty cents from the State for some of our problems. I am sure that in the education field, we not only put forth every tax dollar, but perhaps a dollar and one-half for the seventy-five cents we get back from the State. We are only trying to at least keep status quo.

Mr. BERGER. Mr. President, that is, of course, the complaint, and I do not question the logic or the sincerity of the people who propound it. However, it is the complaint of large States as to small ones, and of large taxpaying centers as to small taxpaying centers, on the distribution of tax money. Surely, if they got back all that they paid in, they would be much better off. We concede that, and the same thing is true of Pennsylvania in relation to the smaller southern States.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. BARR. Senator Berger, if this report from the State Tax Equalization Board had decreased the amounts for Pittsburgh and Philadelphia and increased the amounts for Tioga and Potter Counties, do you think this bill would be here?

Mr. BERGER. I beg your pardon. I do not understand the question, Senator.

Mr. BARR. If this report from the State Tax Equalization Board had taken money from the first class school districts, namely Pittsburgh and Philadelphia, and increased the amount to be returned to the rural counties of the State, would this bill be on our Calendar today?



Mr. BERGER. I am sure, Mr. President, that if the increase of revenue to the small districts and the reduction to the large districts had been the result of the report of the State Tax Equalization Board, we would have been as ready to object, if it appeared there were inequities, as we are objecting now.

Mr. BARR. I remember that we had a bill on the Calendar, trying to make it comparable just by having the first class district A of Pittsburgh on the same level as Philadelphia, and we could not get any votes from any of the rural counties.

Mr. BERGER. That may be, Mr. President. However, that was because the formula, about which a complaint has been made here today, was devised to provide equalization of education in Pennsylvania and it still is so designed.

Mr. BARR. Mr. President, I have heard Senator Wagner get up on the floor, and I call this formula a "sacred cow."

All of a sudden, the whole spirit of the twenty-eight gentlemen on the other side has changed. They are ready to take the State Tax Equalization Board figures and, actually, you might say, shovel them down the sewer because they do not seem to fit the political feeling of the counties which they represent. Do you think I am wrong in saying that? Do you think it wrong to say that?

Mr. BERGER. Absolutely, you are wrong, Senator Barr. Mr. President, it is not the desire of twenty-eight people on this side—and there are a few on the other side—to cast down the Tax Equalization Board or its work. We simply question the equity of some of the figures they have come up with, because it was explained to us that these were based partially upon actual sales, partially upon a basis established in 1957, arbitrarily, and considerably upon the judgment of the members of the Tax Equalization Board alone. That we do not feel should enter too much into the picture, as it apparently has done.

Mr. BARR. Senator Berger, I think you were here when Senator Stevenson fathered the State Tax Equalization Board. You knew exactly what powers and what duties you gave them. Now they have exercised those powers and duties and have reported, and it does not seem to suit the majority of the Members on the other side, so you want to shelve the Board.

I do not know what kind of politics that is. I hope that the people of Pittsburgh, Philadelphia and the other cities that are being helped with this report—I mean not duly helped, but a remedy that should have been given to them many, many years ago—are listening and that the wire service will report this talk here today.

Mr. BERGER. Mr. President, I hope, also, that they are listening for the reason that I am sure that the majority of them subscribe to the theory of equalization of education, which is the fundamental purpose of this whole subsidy program. In districts which are able to pay a greater amount of their education, the formula prescribes that they shall receive a lesser amount from the State funds. Those districts, which are unable to pay their own, receive a greater percentage of help from the State. That is the original purpose, and I hope that it will remain to be the purpose and the objective of this type of legislation.

Mr. BARR. Mr. President, I do not know whether the Majority Leader knows that over in the House, the Pittsburgh School Board has asked that bills be introduced

for a wage tax because they are \$5,000,000 or so in arrears. They have also asked for an increase in the millage. I presume we will have no trouble when those bills come over here in getting the Republicans to vote for them, because the poor people in the first class districts will have paid through the nose once again.

I do not know whether you men over there realize that the people of Pittsburgh and Philadelphia pay over sixty per cent of their revenue into the General Fund of this State, and for every eight dollars they pay in, they get one dollar back.

We are not going to try to penalize the poorer school districts because our Constitution says that education is the problem of all of the people in the State. However, I do think that the people of Pittsburgh and Philadelphia are only asking for a fair shake. They have been helping, and will continue to help, the school districts in the second, third and fourth class districts. I do say that if you want to get politically wise, just let the people of Pittsburgh and Philadelphia have what is justly theirs.

Mr. BERGER. Mr. President, it is our intention, at all time, to deal fairly with the people of Philadelphia and Pittsburgh. However, in some instances, they wish to write their own ticket and, of course, we feel that this should be scrutinized. However, I assure the gentleman of all good will in the application of the treatment that they will receive under the distribution of school funds.

Mr. WEINER. Mr. President, I would like to have someone explain to me, if this is an equitable formula and we are not changing it, why Philadelphia and Allegheny County,—Pittsburgh primarily—have been cut in the last ten years, and why no one here actually tried to change the setup or see that they got more money. I also think that this is sort of a backhanded way of going about solving what seems to be an inequitable problem. There is a procedure under the Code which the school districts can adopt and follow if they are dissatisfied with the results of the Tax Equalization Board, and that is to appeal to the Board and have hearings and let the Board know where they have erred in coming up with their answers.

If we are going to substitute different legislation to accomplish a purpose that has already been borne in mind when the original Acts were passed, we will be busy here on a twenty-four hour basis, 365 days a year, because I am sure that in some matters, aside from the Tax Equalization Board matter, other areas are being hurt. If the appeal procedure is overlooked or overcome by other legislation to take its place, I think that is rather a backhanded way of handling a problem that has already been foreseen by the people who enacted the original legislation.

If, on the other hand, you say that this is unfair and not operating properly, perhaps we should look at the whole situation instead of just looking at the component parts and trying to arrive at an answer which we cannot conceive ourselves by doing away with this component part or changing it.

Mr. BERGER. Mr. President, I am cognizant of the appeal provisions of the Act creating the State Tax Equalization Board, and I assure the gentleman that there will be many hundreds, if not thousands, of appeals as a result of this certification of market values. However, we hope to avoid that by providing an interval over which these evaluations will remain static and during



which possibly some equitable and proper method can be provided for alleviating the situation in all districts, not only the third and fourth class districts.

Mr. WEINER. Mr. President, would it not be easier to accomplish this problem if politics were aside, and the leadership of this Body met with the leadership of the House and took up the problem with the responsible people in the State Administration, and tried to come to a conclusion of that type? Merely passing this bill over to the House does not signify that it is going to receive unanimous approval and become law. Where does that leave us if someone is being hurt by it? If what we are trying to do is to relieve the parties that are being oppressed or hurt by this type of action by a particular board, is it not incumbent upon the Legislature, if there are no politics involved or without seeking political advantage at all, that responsible people sit down and try to work out a solution? That would be a much easier way of handling the problem than merely sending the bill over to the House. If they reject that bill and return a different bill to us, then where are we?

Mr. BERGER. Mr. President, first of all, I want to assure the gentleman that, in my opinion, there is very little political advantage to be gained in any bill or legislation dealing with the school and education problem in Pennsylvania. It is a problem that is big enough to occupy the attention of everyone in government without trying to seek any political advantage from it.

Further, Mr. President, I am aware of the bill pending in the House. Furthermore, I already have discussed with the House leadership some possibility of legislation which may alleviate this during the present Session and with due equity, as I said before, to both the first and second class districts, as well as the third and fourth.

Mr. WEINER. Mr. President, would it not be wise to hold this bill until this other legislation comes to us and we can look at both of them objectively and come to some sort of an intelligent conclusion, rather than just pass this bill over to the House and they will pass a bill back to us, and then where are we?

This Chamber will insist that its own bill had fine men working on it, but they both happen to be of one political party. The bill which comes from the House will be sponsored by fine men, also, and they possibly will be of the same political party. If that is not politics, I would like someone to explain that to me, because there may be some fundamentals I do not understand at all, and I would be very happy to have someone explain that part of it to me.

Mr. BERGER. Mr. President, if the gentleman is concerned about the political complexion of the sponsors of this bill, I am sure that they would welcome him as a co-sponsor and would so instruct the clerk.

Mr. BARR. Mr. President, beware of Greeks bearing false gifts. We do not want to co-sponsor this bill because I am sure that it is never going to see the light of day, if it goes over to the House. I think I know the temper in the House, and I do not think they are going to see the people of the first class districts be raped for probably \$7,000,000. I think, perhaps, the House has a fair bill. As I understand their bill, for instance, if you were cut \$40,000 for the first year, you would only lose twenty-five per cent and the second year, twenty-five per cent, et cetera. For those who have gained by increases in their

subsidies, they could keep their gains. These gains have been long overdue.

Mr. SEYLER. Mr. President, I would like to point out that this problem, which an attempt is being made to meet in this bill, is an integral part of a larger problem which faces the school districts of the Commonwealth. This is particularly true in those districts in which Senator Berger is interested; namely, those with less ability than others to support public education.

In my own county, Mr. President, which has never been considered a poor county and never a county full of distressed school districts, a great majority of the districts in the rural areas of my county are now at the point where their local taxing ability is pushed to its ceiling, to the practical maximum that it can go. They are unable to see how they will be able to balance school budgets in the next year. I believe this is not unique in the case of my county. I think this same condition exists all over the Commonwealth.

I would suggest to all the gentlemen in the Senate that the answer to this problem is not setting aside a decision of a legally constituted board to do its job, but the answer probably is that more State money needs to be put into public education in this next biennium if the school districts, and particularly those who lack the ability, locally, to support a good program, are to survive and are to give the children of their districts the kind of educational opportunity that we are on record as voting they should have in our efforts to equalize education. I am convinced that we should not change the method of distributing that money, as this bill would do, but, rather, that probably more money should be made available for education.

I know that it is unpopular, perhaps, to say that we should think in terms of a larger budget or of any increase in the present appropriations. However, I honestly believe, Mr. President, that the only solution for many of the school districts in this Commonwealth is for the Commonwealth, in this next biennium, to undertake to support education at a higher level than our present \$5,800 figure, for which the formula calls. I believe that figure is going to have to be raised along with an appropriate adjustment in local effort. I think that would be a solution which would solve not only this problem, but the larger problem, without any necessity of having to change the rules in the middle of the game.

Mr. BERGER. Mr. President, I would take no issue whatever with what the gentleman just said in connection with the necessary revision of the basis of \$5,800 which we now use as the subsidy base. I think that it does require study and work in order to come up with a solution which will, at least, temporarily meet this problem. I question, Mr. President, in our present course, whether we are ever going to find a permanent solution for it, because, like everything else, the cost of education grows and grows and grows.

However, reverting again to Senate Bill No. 1034, Mr. President, the reason we think this probably should pass is because, while I am no sailor, I understand it is always good to have a sheet to the windward. This would provide it, should it be necessary that the House have such a bill in its possession, in order to do something along the lines suggested by Senate Bill No. 1034.

And the question recurring,

Will the Senate agree to the bill on second reading?  
It was agreed to.  
Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1035, Printer's No. 291, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1507, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the Department of Public Instruction to grant priority of reimbursement eligibility to certain projects and providing that the approved reimbursable costs of such projects shall not be included within the aggregate for projects already undertaken or to be undertaken.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the Postponed Calendar by Mr. BERGER.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act amending the act of June 11 1947 (P. L. 565) entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation and making an appropriation.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Sec 2, page 3, lines 1 and 2 by striking out "FORTY-ONE thousand four hundred ten dollars (\$41,-410)" and inserting: "thirty-five thousand dollars (\$35,-000)".

It was agreed to.

The section was agreed to as amended.  
The third section and title were read and agreed to.  
And said bill having been read at length the second time, as amended,  
On the question,  
Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1, Printer's No. 1238, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 875, entitled:

An Act amending the act of June 3, 1943 (P. L. 847), entitled, as amended, "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind . . ." further regulating leases made to blind persons extending the authority of the State Council for the Blind to engage in business enterprises amending the rate of repayment of such advancements increasing the revolving fund and permitting the transfer to the revolving fund of moneys heretofore collected from the licensing of vending machines in state buildings.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 876, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," further regulating relations between the State Council for the Blind and organizations for the blind.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1032, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1033, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1037, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code," changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1285, entitled:

An Act amending the act of March 6 1956 (P L 1228) entitled as amended "Selective Sales and Use Tax Act," defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services increasing the rate of tax imposition an changing the bracket schedule and basis to reflect certain tax increases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1360, entitled:

An Act amending the act of April 9 1929 (P L 177), entitled "The Administrative Code of 1929," giving powers to and imposing duties on the Department of Health in connection with rehabilitation of persons with hearing or speech defects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1561, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to assign transfer and set over to the Pennsylvania Game Commission the control and jurisdiction of 158.89106 acres more or less of land situate in Limerick Township Montgomery County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1579, entitled:

An Act amending the act of August 5 1941 (P L 752) entitled "Civil Service Act," requiring that the commission permit certain promotions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2201, entitled:

An Act amending the act of June 24 1939 (P L 872) entitled "The Penal Code," further regulating obscene exhibitions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2237, entitled:

An Act amending the act of June 24 1939 (P L 872) entitled "The Penal Code," clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## HOUSE MESSAGES

### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1721

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, and considered and agreed to:

In the House of Representatives, August 10, 1959.

Resolved (if the Senate concur), That House Bill No. 1721, Printers' No. 875, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) extending the use of manufacturer's, jobber's and dealer's registration plates.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also, informed the Senate that the House has concurred in resolution from the Senate as follows:

### TIME OF NEXT MEETING

In the Senate, August 10, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 17, 1959 at TWO o'clock P. M., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, August 17, 1959, at THREE-THIRTY o'clock P. M., E. S. T.

## BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 345, Printers' No. 1074;

Senate Bill No. 513, Printer's No. 1107; and

Senate Bill No. 579, Printer's No. 1142.

## BILL INTRODUCED AND REFERRED

Mr. RIPP. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. RIPP, BARR, FLEMING and SARRAF read in place and presented to the Chair Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1059), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; . . ." regulating credit for pension for previous employment by the city other than in the bureau of

fire; and further regulating pensions of reinstated members.

Which was committed to the Committee on Local Government.

## ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 11, 1959, at 9:00 o'clock, a.m., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:17 o'clock p.m., Eastern Standard Time, until Tuesday, August 11, 1959, at 9:00 o'clock, a.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, August 10, 1959.

The House met at 3:30 p.m., EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Everlasting Father, Thou who hast called our world into being and dost invite mankind to come to Thee in prayer. We look to Thee this day in the awareness of our many shortcomings and beseech Thee, through the redeeming power of Jesus Christ, to free our consciences from the guilt of our sins. We pray that Thou wilt take possession of the life of each one of us, and reign supreme in the motivation of our hearts. O God, wilt Thou show us Thy way, and grant us a life of faith that we may walk humbly in Thy truth? Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, July 27 and Tuesday, July 28, 1959?

Mr. SCHWARTZ. Mr. Speaker, I have in my file the copies for the 27th of July and the 28th of July, and I would like to have a correction made to the Journal that I would like to call to your attention at the present time.

Mr. Speaker, on page 2551, at the very bottom of the page and at the top of page 2552, there are certain remarks under the name of Representative Fineman. Those remarks were made by me rather than by Representative Fineman, and I would request, therefore, that the change be made and that the Journal be corrected in that respect.

The SPEAKER. If there are no other corrections, and without objection, the Journals as corrected, are approved.

## BILLS INTRODUCED AND REFERRED

By Messrs. FARABAUGH and SNIDER.

HOUSE BILL No. 2302.

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating cash sales of milk on farms.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. POLEN.

HOUSE BILL No. 2303.

An Act amending the "General Appropriation Act of 1957," approved July 19, 1957 (Appropriation acts, page 60), including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2304.

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A), entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts, page 60), entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth \* \* \* \* \*' including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2305.

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2306.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2307.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2308.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2309.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2310.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2311.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2312.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

## SPECIAL ELECTION

The SPEAKER laid before the House the following writ of special election:

## COMMONWEALTH OF PENNSYLVANIA, SS:

To Hon. John S. Rice, Secretary of the Commonwealth, and to Blain M. Mead, Lewis L. Chippen and L. L. Johnson, constituting the Board of Elections of Warren County:

GREETING: Whereas, a vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Legislative District of the County of Warren, caused by reason of the death of Allen M. Gibson, the Representative from said District, on the twenty fifth day of May, one thousand nine hundred fifty-nine.

Now, therefore, I, Hiram G. Andrews, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said Legislative District of Warren County on the third day of November, A.D. one thousand nine hundred fifty-nine, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred sixty, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 16th day of July A. D. one thousand nine hundred fifty-nine.

## ATTEST:

(S) J. Ominsky (S) Hiram G. Andrews  
Chief Clerk of the House Speaker of the House of  
Representatives. Representatives.

Commonwealth of Pennsylvania } ss:  
County of Dauphin }

Frank J. Szobocsan being duly sworn according to law, says that he resides at 584 So. 4th St., Steelton, Dauphin County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Honorable John S. Rice, Secretary of the Commonwealth of Pennsylvania, on the 16th day of July, 1959, at 11:05 o'clock A. M., E. S. T. at his office in the Capitol Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the Legislative District of Warren County, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

(S) Frank J. Szobocsan  
Sergeant-at-Arms

Sworn and subscribed to  
before me this 16th day of  
July, 1959.

(S) Dorothy M. Ionni  
Notary Public

My Commission Expires Feb. 3, 1963,  
Harrisburg, Pa. Dauphin County.

Commonwealth of Pennsylvania } ss:  
County of Dauphin }

Alice Allen, being duly sworn according to law, says that she resides at 21 W. Third Avenue, Warren, Pa., Warren County, Pennsylvania, that she is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That she served on the Board of Elections of Warren County, on the first day of August, 1959, at 9:03 o'clock, A. M., at its office in Warren, a writ for a special election for the office of Representative in the General Assembly for the Legislative District of Warren County, by command of the Honorable Hiram G. Andrews,

Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

(S) Alice Allen  
Sergeant-at-Arms

Sworn and subscribed to  
before me this 3rd day of  
August, 1959.

Dorothy M. Ionni

Notary Public

My Commission Expires Feb. 3, 1963,  
Harrisburg, Pa. Dauphin County.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 33, 465, 1074, 1511,  
1530, 1665 and 1685.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 33, Printer's No. 502, entitled "An Act amending the act of June 18, 1941 (P. L. 137) entitled 'An act providing for the appointment powers and control of members of volunteer fire companies as special fire police and conferring powers on them at fires attended by their fire companies in any city borough town and township' extending the rights and powers of special fire police to other duties performed upon request of municipal authorities."

DAVID L. LAWRENCE.

August 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 465, Printer's No. 234, entitled "An Act amending the act of April 8, 1867 (P. L. 50) entitled 'An act to permit disabled soldiers to peddle by procuring a license therefor without charge' prohibiting the peddling of labeled flowers of the Italian American World War Veterans of the United States Incorporated."

DAVID L. LAWRENCE.

August 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1074, Printer's No. 425, entitled "An Act amending the act of January 14, 1952 (P. L. 1898) entitled 'Funeral Director Law' providing for a State Board of Funeral Directors in the Department of Public Instruction."

DAVID L. LAWRENCE.

August 6, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1511, Printer's No. 703, entitled "An Act amending the act of May 29, 1937 (P. L. 1053) entitled 'Public Utility Law' changing the fees to be charged by the commission for copies of papers testimony and records."

DAVID L. LAWRENCE.

August 6, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1530, Printer's No.



1168, entitled "An Act amending the act of April 29, 1959 (P. L. ) No. 32 entitled 'The Vehicle Code' by providing that no registration plates shall be issued to any person Until He Has Paid for previously issue plates."

DAVID L. LAWRENCE.

August 6, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1665, Printer's No. 1169, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' by clarifying the term 'child' or 'children' when it is used to indicate their entering or leaving a school bus."

DAVID L. LAWRENCE.

August 6, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1685, Printer's No. 747, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' by extending the term 'workmen' to include Municipality Authority and public utility employes when working on the highways."

DAVID L. LAWRENCE.

### REPORT FROM COMMITTEE

Mr. DEVLIN from the Committee on Rules, reported as committed, House Resolution No. 100.

### BILL RE-REFERRED

Mr. DEVLIN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Workmen's Compensation, House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), by increasing the rate of compensation.

The SPEAKER. The bill is re-referred to the Committee on Workmen's Compensation.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. TAYLOR for today due to official business.

Mrs. Varallo for Mr. McKEEVER for today's session for official business.

Mrs. Varallo for Mr. HOLT for today's session.

Mrs. Varallo for Mr. SULLIVAN for the week because of illness.

Mrs. Varallo for Mr. PRENDERGAST for today's session.

Mr. Tompkins for Mr. SNARE for this week's session.

Mr. Tompkins for Mr. BROWN for this week's session.

Mr. Tompkins for Mr. BELL for this week's session.

Mr. Tompkins for Mr. BRENNINGER for today's session.

Mr. Tompkins for Mr. BORIS for today's session.

Mr. Tompkins for Mr. HEFFNER for today's session.

### SUNDAY SALES LAW

Mr. GOLDSTEIN asked and obtained unanimous consent to have inserted in Legislative Journal an editorial relative to the Sunday Sales Law as contained in The Gazette and Daily of York, Pennsylvania on August 6, 1959.

### THE SUNDAY SALES LAW

There is no question in our minds about the favoritism shown by the Sunday retail sales law. This law, which dates in substance back to 1794, is designed to favor certain establishments and to penalize others. The fact that arguments relating to the sanctity of the Sabbath day have been made in support of this law not only increases its discriminatory nature but raises an immediate constitutional question of the first amendment.

We think, therefore, that Adams County Assemblyman Francis Worley was dead right in opposing the bill on constitutional grounds. Mr. Worley was one of twenty one legislators to vote against the bill in the House Tuesday—and the only assemblyman to speak out against it in debate on the day of passage. Last week a number of others opposed the bill in discussion, contending for the most part that in establishing Sunday as the official day of rest it discriminated against Americans who do not observe the Sabbath on Sunday.

But Mr. Worley, it seems, was the only member of the House willing to argue against the bill to the end and to do so by calling it unconstitutional, which in our opinion it is. The first amendment says that "Congress shall make no law respecting . . . an establishment of religion." If there is any except a religious implication in selecting Sunday as a day on which certain business cannot be done, we would like to know what it is. Moreover, it does religion and religious feelings no service to link them with a commercially inspired piece of legislation. Quite the contrary. This is most improper from a spiritual and ethical point of view.

The aim of the law is to restrict the activities of the discount houses, the very same aim of the so-called Fair Trade federal bill. Big manufacturers and large retail establishments are, apparently, not above employing government to restrict competition in their favor. Because that is exactly what the Sunday retail sales law and the Fair Trade proposal do. And the increase in penalties voted the other day by the House in passing the Sunday sales law is a means of cracking down on persons who have been operating businesses on Sunday and paying the four dollar fine for so doing each time they are arrested. Now they face fines of \$100 and \$200 and jail terms.

We do not see, moreover, how it is legally possible to enumerate in law those items which can be sold on Sunday and those which cannot. Yet the bill purports to do this. Novelties and souvenirs can be sold. But watches, clocks toys, records, jewelry, musical instruments and a host of other things cannot. What is the basis for arriving at such distinctions? We are very much afraid that the language was drawn to confine the application of the law as far as possible to the discount houses. If so, this is special legislation and should never be on the books.

We are in favor of leaving the decision of Sunday shopping up to the individual. A person whose religious scruples would be offended by any commercial, recreational or sporting activity on Sunday need not shop, or go to clubs or movies, or play golf. It is up to the individual and his or her conscience. But the decision should not be made by law, particularly by a law which exempts almost everything except the operations of retail places of which powerful economic interests disapprove.

We regret that all four York county legislators saw fit to vote for this bill on Tuesday.

### PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

What we need and should have is a short, concise, and new constitution for Pennsylvania. The present state Constitution of 1873 has a lot of statutory laws placed therein



for the purpose of tying the hands of subsequent legislators. As a result, the Constitution is not adaptable to meet the changing conditions of our times, nor will it meet change hereafter.

When we get a short constitution containing only the fundamentals of law, then we will have a state Constitution that will live on for hundreds of years, just the same as our Federal Constitution lives on for the reason that the Federal Constitution is short and concise and deals only with the fundamentals of law.

There is nothing radical about the request to have a new state Constitution because Pennsylvania has had four constitutions already since the signing of the Declaration of Independence. The first was the Constitution of 1776 to meet the conditions created by the signing of the Declaration of Independence; the second, was the Constitution of 1790 to meet the changes created by the Federal Constitution; the third, was the Constitution of 1838 created to meet the changes brought about by the Jacksonian era, and the powers of the governor were greatly limited by that Constitution. Then came the Constitution of 1873, our present Constitution, which increased the powers of the governor and decreased the powers of the General Assembly of Pennsylvania. This present Constitution, the Constitution of 1873, is by far the longest. It is more than three times the length of the Constitution of 1838. And now the Commission of 1920 made several recommendations for changes in our present Constitution, as well as our present Commission has made many very constructive recommendations for changes, but this process of amendments is falling by the wayside. Many good amendments will never get to the people for ratification. So let us give Pennsylvania a whole new Constitution that is, short like the Federal Constitution, and we will not need a new Constitution every 50 to 100 years. All we need to put in the new Constitution would be, first, a basic framework of the state government, second, a broad brief distribution of state government powers, third, a Bill of Rights and, fourth, a provision for amending the Constitution.

We really only need one House; a unicameral legislature is sufficient. There is no real need for both a House and Senate. You will recall that the Federal House was created to please the big states and the Federal Senate was created to please the small states at the Federal Constitutional Convention, but that same reason does not exist in the state legislatures. So if the reason for two Houses is gone, the reason for that portion of the basic law is gone; and therefore one House should be abolished and save the taxpayers some money. A unicameral legislature will also stop a lot of buck passing from one House to another.

If we ever get all this, the legislature will be a very powerful representative body of the people; and the people will really have control of a unicameral legislature.

Can't we soon get this job of a new constitution on its way? It is certainly for the best interest for the people of Pennsylvania.

Mr. McCORMACK. Mr. Speaker, I merely want to say to the gentleman from Adams, Mr. Worley, that the Constitution was adopted, I believe, in 1874. In his speech that he has just submitted to the newspapers he has 1873. Would he want to change that?

Mr. WORLEY. Mr. Speaker, I desire to answer the

question made by the gentleman from Philadelphia, Mr. McCormack.

The Constitution of 1873 is generally referred to as the Constitution of 1873 because the convention was held in that year, and that was the reason I used that date. Most writers refer to that. I am well aware of the fact that the Constitution did not go into effect until January of 1874.

### PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, like your statements on dispelling the fog, I would like to dispel the fog here a little today.

I would like to get some of the fog and cobwebs out of the reporters' ears or their heads. Last Wednesday I said on the floor of the House that if I had known that a certain bill would not be called I may have withheld my vote on the Sales Tax bill, not that I requested my vote be recalled, because I know that cannot be done.

### PERMISSION TO ADDRESS HOUSE

Mr. VARNER asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House, a week ago Sunday in Clarion County on Route 66, on the road between the towns of Clarion and New Bethlehem, the bridge crossing Big Piney Creek collapsed. This was on a detour caused by the construction of the Keystone Shortway.

This bridge was built in 1930. It is now 29 years of age or it was. This bridge apparently had not been looked at by the Highway Department officials in that area for quite some time and it appears to me, if this sort of thing happens in my district, it might be going on in the other 67 counties.

Today I called attention of the Highway Department here in Harrisburg to the fact that they should inspect these bridges and avert this damage. I hate to say, they were negligent in their duty, but I think what seemingly was a good bridge suddenly collapses when there isn't even a truck on it, when there wasn't even traffic on it. When a bridge collapses something must be wrong. Their inspection must be pretty faulty.

I would like these remarks spread on the Journal. I talked to Mr. Poorman today in the Highway Department about this situation and I am sure that the Highway Department now, under their able Secretary, will start scurrying around and start inspecting the bridges in the 67 counties of this Commonwealth.

### SENATE MESSAGE

#### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 10, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, August 17, 1959 at two o'clock p. m., EST, and when the House of Representatives adjourns this week, it reconvene on Monday, August 17, 1959 at three-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.



On the question,  
Will the House concur in the resolution of the Senate?  
It was concurred in.  
Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 345.

An Act amending the act of July 25 1913 (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women \* \* \*" making sheriffs responsible for the transportation of women prisoners to the Industrial Home.

#### SENATE BILL No. 513.

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" increasing the amount that cemetery and burial corporations must set apart for perpetual care and preservation of the grounds and buildings.

#### SENATE BILL No. 579.

An Act amending the act of May 28 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" further regulating pension rights.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 345.

An Act amending the act of July 25 1913 (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women \* \* \*" making sheriffs responsible for the transportation of women prisoners to the Industrial Home.

#### SENATE BILL No. 513.

An Act amending the act of May 5 1933 (P. L. 364) entitled "Business Corporation Law" increasing the amount that cemetery and burial corporations must set apart for perpetual care and preservation of the grounds and buildings.

#### SENATE BILL No. 579.

An Act amending the act of May 28 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" further regulating pension rights.

Whereupon,  
The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 703, 810 and 983.

### BILLS ON FIRST READING

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P. L. 177) creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1701, entitled:

An Act amending "The Game Law" approved June 3 1937 (P. L. 1225) extending the period for shooting on regulated shooting grounds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1906, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further regulating the use of resident hunter's license fees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" further regulating the investment of borough funds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate Bill No. 143, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law \* \* \* and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 133, entitled:

An Act amending the act of April 29, 1959 (Act No 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" and changing the definition of the term "school zone" and provisions relating to certain traffic signs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act amending the act of May 23, 1945 (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" changing the basis for pensions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 748, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) making it a crime to sell or offer for sale certain home appliances without proper identification.

The first section was read.

On the question,

Will the House agree to the section?

Mr. A. J. MURPHY offered the following amendment:

Amend Sec. 1 (Sec. 699.10), page 2, line 4, by inserting after "manufacturer": "or the brand name generally used by the person or other entity for whom the appliance was manufactured."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) enlarging the group of recipients of game illegally killed.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 893, entitled:

An Act amending the "Public School Code fo 1949"

approved March 10, 1949 (P. L. 30) increasing the limitations on contracts entered into by school boards.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death \* \* \*.

And said bil having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1450, entitled:

An Act relating to the control of occupational diseases and their prevention \* \* \* providing that the Department of Health shall administer the act and providing that reports made under this act shall be confidential and providing for civil relief.

And said bil having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1702, entitled:

An Act relating to State highways, roads and bridges and certain use thereof amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto \* \* \*.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1909, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the provision relating to trapping by nonresidents.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1911, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing time when license tag must be displayed.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,



The House proceeded to the second reading and consideration of House Bill No. 1912, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), removing provisions relating to archery preserves.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1941, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards and commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain \* \* \*".

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1944, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers \* \* \*," concerning minimum wages providing for a minimum wage for employes in this Commonwealth providing a wage board procedure for establishing supplementary minimum wages defining the power and duties of the Department of Labor and Industry and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code," authorizing the operation of a vehicle having two others attached thereto in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2031, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the amount of contracts in which borough officials may have no interest.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto," changing the procedures for the handling of patients' funds and repealing inconsistent laws.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2034, entitled:

An Act amending the Act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth \* \* \*," further defining the liability of relatives and estates by the entireties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved Sept 2 1958 concerning assistance, to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for National Education.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2210, entitled:

An Act amending the "Minor Judiciary Fee Bill" approved January 7, 1952 (P. L. 1841) reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 40, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 65, Printer's No. 65 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 128, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing boroughs to acquire and maintain historical property and permitting borough planning commissions to make recommendations in relation thereto.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 474, Printer's No. 508.

Senate Bill No. 475, Printer's No. 509,

Senate Bill No. 476, Printer's No. 1024,

Senate Bill No. 477, Printer's No. 1227,

Senate Bill No. 478, Printer's No. 1228,

Senate Bill No. 479, Printer's No. 1229,

Senate Bill No. 480, Printer's No. 514,

Senate Bill No. 481, Printer's No. 515,

Senate Bill No. 482, Printer's No. 516,

Senate Bill No. 483, Printer's No. 517 and

Senate Bill No. 484, Printer's No. 518,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 485, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" defining "county employe" providing a service allowance for certain per diem employes further providing for a superannuation retirement allowance increasing the period of time during which a contributor may be reinstated and limiting the exception or execution.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" defining "County Employe" "Original Member" and "New Member" providing for compulsory membership and the method of making monthly payments increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILLS ON FINAL PASSAGE

#### RECALLED FROM THE GOVERNOR

#### BILL PASSED OVER

There being no objection

House Bill No. 1427, Printer's No. 1236, was passed over at the request of the SPEAKER.

#### BILLS ON FINAL PASSAGE

#### BILL PASSED OVER

There being no objection

House Bill No. 63, Printer's No. 1285, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 725, entitled:

An Act amending the "Pawnbrokers License Act," approved April 6, 1937 (P. L. 200), granting to police commissioners in cities of the first class or their designated representatives certain investigative powers with respect to pawnbrokers.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, will one of the sponsors consent to be interrogated on this bill?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg. Will Mr. Eilberg consent to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, we now have a state-wide Pawnbroker's License Act and the purpose of this bill is to take the right of an examination from the Secretary of Banking and place it in the Police Department of the city of Philadelphia. Why is this exception necessary for Philadelphia?

Mr. EILBERG. If the gentleman will read the bill very carefully, we are not taking anything away from the Banking Department. We are adding to the law so that not only the Banking Department but the police as well can inspect the records of pawnbrokers.

Mr. GOLDSTEIN. Well, is it the purpose of this bill to have dual examinations and make certain that not only the state but also the city will examine them?

Mr. EILBERG. That is correct, Your Honor.

Mr. GOLDSTEIN. Thank you.

Mr. EILBERG. In answer to the gentleman's question I would like to make a brief statement as to the purpose of this bill.

The SPEAKER. Does the gentleman from Allegheny yield to the gentleman from Philadelphia?

Mr. GOLDSTEIN. I do and if the purpose of the bill is to still retain the Secretary of Banking I have no objection to it.

Mr. EILBERG. The purpose of the bill is to leave the law as it is as far as the Secretary of Banking is concerned.

We want to extend the bill, however, to permit police above the rank of lieutenant in Philadelphia to examine



the records of pawnbrokers at reasonable intervals with tallies for disclosure for improper purposes and so forth. The background is that there is a rising incidence of larceny, robberies and burglaries, and if the police have the power to inspect the records of pawnbrokers they will be able to determine the particular persons who are pawning particular items and in this way they will be able to detect crime.

In addition, the gentleman may have read recently in the Philadelphia newspapers of rings of burglars who committed hundreds of burglaries and these items have been pawned. If the police were able to go into these pawnbroker shops and find records of these items, they would then be able to recover the items and return them to their proper owners. In many cases the pawnbroker, after he has had the items for 90 days, simply resells the items and it is impossible to recover the stolen merchandise, but if the police had the power to go in and examine the records they would be able to recover stolen merchandise, sometimes in large quantities, and return that merchandise to their proper owners. I say this is a bill really in the public interest.

Mr. GOLDSTEIN. Mr. Speaker, I merely want to say after Mr. Eilberg's explanation, that today in the city of Pittsburgh daily reports are made by pawnbrokers and if they do not do that in Philadelphia today and you think this legislation is necessary, they ought to have it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Gallagher,	McCann,	Riley,
Anderson,	Garlock,	McCormack,	Rovansek,
Arlene,	Gelfand,	McDonald,	Royer,
Ashton,	George,	McInroy,	Rudisill,
Auker,	Gibb,	McLaughlin,	Sakulsky,
Balthaser,	Goldstein,	Machmer,	Scarcelli,
Barton,	Goodrich,	Magee,	Schaaf,
Blair,	Gramlich,	Mahan,	Schuster,
Boles,	Guthrie,	Markley,	Schwartz,
Bonner,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Helm,	Merry,	Shupnik,
Branca,	Henzel,	Mihm,	Silverman,
Breth,	Hocker,	Miller, B. Z.,	Snider,
Buchanan,	Holliday,	Miller, H. G.,	Stank,
Burns,	Horst,	Mills,	Stevens,
Capano,	Irvls,	Monroe,	Stewart,
Capitolo,	Isaacs,	Muldowney,	Stimmel,
Cianfrani,	Jenkins,	Mullen,	Stoner,
Cioffi,	Jim,	Munley,	Stroup,
Clarke,	Johnson, A. W.,	Murphy, A. J., Jr.	Tompkins,
Comer,	Johnson, R.,	Murphy, P. J.,	Trusio,
Crossin,	Jones, F. R.,	Murray, H. P.,	Ujobai,
Dennis,	Jones, T. H. W.,	Murray, J. J.,	Varallo,
Dengler,	Jump,	Murray, P. G.,	Varnier,
Devlin,	Kamyk,	Musto,	Verona,
Donahue,	Kee,	Naugie,	Wall,
Donaldson,	Kelser,	Needham,	Walsh,
Dougherty,	Kernaghan,	Nelson,	Wargo,
Down,	Kessler,	O'Dell,	Weldner,
Edwards,	Knecht,	O'Donnell, J. A.,	Welsh,
Eilberg,	Kooker,	O'Donnell, J. P.	Wescott,
Eshback,	Kornick,	Odorisi,	Wheeler,
Eshleman,	Korns,	Ogilvie,	Whittaker,
Ewing,	Kovolenko,	O'Neil,	Williams, A. D., Jr.,
Farabaugh,	Kubitsky,	Parlante,	Williams, E. S.,
Fetterolf,	Lamb,	Pashley,	Willard,
Filo,	Lee, A. M.,	Perry, H. H.,	Willaredt,
Fineman,	Lee, K. B.,	Perry, P. E.,	Wood,
Floyd,	Leonard,	Polaski,	Worley,
Flynn,	Light,	Polen,	Wynd,
Foerster,	Limper,	Price,	Yatron,
Fox,	Lippincott,	Pursley,	Yetter,
Frank,	Lopresti,	Reibman,	Zimmerman,

Frascella,  
Fulmer,  
Galley,

Lulgard,  
Lutty,  
McCandless,

Reidenbach,  
Renwick,  
Rigby,

Andrews,  
Speaker

## NAYS—2

Davis,

Dennison,

## NOT VOTING—20

Bell,  
Boris,  
Brenninger,  
Brown,  
Cooper,

Curwood,  
Hefner,  
Holt,  
McKeever,  
Moran,

Petrosky,  
Prendergast,  
Snare,  
Steckel,  
Stone,

Strausser,  
Sullivan,  
Taylor,  
Thompson,  
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## RESOLUTION

## RECALLING HOUSE BILL NO. 1721 FROM THE GOVERNOR

Mr. YETTER offered a resolution which was read, considered and adopted as follows:

August 10, 1959.

Resolved (if the Senate concur), that House Bill No. 1721, Printer's No. 875, entitled "An act amending the act of April 29, 1959 (Act No. 32), entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' extending the use of manufacturer's jobber's and dealer's registration plates," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

## BILLS PASSED OVER

There being no objection,

House Bill No. 954, Printer's No. 1248,

House Bill No. 1018, Printer's No. 1284 and

House Bill No. 1191, Printer's No. 967,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1379, entitled:

An Act providing for the assignment of counsel to indigent persons accused of crime.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—147

Agnew,  
Anderson,  
Arlene,  
Auker,  
Balthaser,  
Blair,  
Boles,  
Bonner,  
Bower,  
Branca,  
Breth,  
Buchanan,  
Burns,

Fox,  
Frank,  
Frascella,  
Fulmer,  
Galley,  
Gallagher,  
Garlock,  
Gelfand,  
George,  
Gibb,  
Goldstein,  
Goodrich,  
Guthrie,

Lulgard,  
Lutty,  
McCandless,  
McCann,  
McCormack,  
McDonald,  
McLaughlin,  
Machmer,  
Mahan,  
Markley,  
Maxwell,  
Meholchick,  
Merry,

Reibman,  
Reidenbach,  
Renwick,  
Rigby,  
Riley,  
Rovansek,  
Rudisill,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Schwartz,  
Sherman,

Capano,	Hamilton,	Mihm,	Shupnik,
Capitolo,	Heavey,	Miller, B. Z.,	Silverman,
Cianfrani,	Henzel,	Miller, H. G.,	Snider,
Cioffi,	Horst,	Mills,	Stank,
Clarke,	Irvia,	Monroe,	Stewart,
Comer,	Jenkins,	Muldowney,	Stimmel,
Crossin,	Jim,	Mullen,	Stoner,
Dennis,	Johnson, A. W.,	Munley,	Trusio,
Dennison,	Johnson, R.,	Murphy, A. J., Jr.,	Ujobai,
Devlin,	Jones, F. R.,	Murray, H. P.,	Varallo,
Donahue,	Jones, T. H. W.,	Murray, J. J.,	Varner,
Donaldson,	Jump,	Musto,	Verona,
Dougherty,	Kamyk,	Naugle,	Wargo,
Down,	Kee,	Needham,	Welsh,
Edwards,	Kessler,	Nelson,	Wheeler,
Ellberg,	Knecht,	O'Donnell, J. A.,	Williams, E. S.,
Ewing,	Kornick,	O'Donnell, J. P.,	Willard,
Farabaugh,	Kovolenko,	O'Neil,	Willaredt,
Fetterolf,	Kubitsky,	Parlante,	Worley,
Filo,	Lee, A. M.,	Pashley,	Yatron,
Fineman,	Lee, K. B.,	Perry, H. H.,	Yetter,
Floyd,	Leonard,	Perry, P. E.,	Zimmerman,
Flynn,	Limper,	Polaski,	Andrews,
Foerster,	Lopresti,	Polen,	Speaker

## NAYS—41

Ashton,	Isaacs,	Murphy, P. J.,	Stroup,
Barton,	Kelser,	Murray, P. G.,	Tompkins,
Bowman,	Kernaghan,	O'Dell,	Wall,
Davis,	Kooker,	Odorisio,	Walsh,
Dengler,	Korns,	Ogilvie,	Weidner,
Eshback,	Lamb,	Price,	Wescott,
Eshleman,	Light,	Pursley,	Whittaker,
Gramlich,	Lippincott,	Royer,	Williams, A. D., Jr.,
Helm,	McInroy,	Seltzer,	Wood,
Hocker,	Magee,	Stevens,	Wynd,
Holliday,			

## NOT VOTING—20

Bell,	Curwood,	Petrosky,	Strausser,
Boris,	Heffner,	Prendergast,	Sullivan,
Brenninger,	Holt,	Snare,	Taylor,
Brown,	McKeever,	Steckel,	Thompson,
Cooper,	Moran,	Stone,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1430, entitled:

An Act repealing section 1035, act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," relating to carrying of other vehicles, the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, I rise in opposition to the repeal of this Act.

To start with, we have been dwelling on highway safety for some time. I think we are all for it. I think we are all inclined to go along with some parts of it. This Act which we are trying to repeal today was first enacted into law in 1935. In 1937 the Legislature saw fit, because of the people who had money invested in equipment, to extend the time of this Act for two years. In the meantime it was taken through the Dauphin County court, from there it was taken to the Superior and then to the Supreme Court.

I would like to read the opinion of the Supreme Court

of the Commonwealth of Pennsylvania in the case of Maurer vs. Boardman. I am not an attorney, but I took a long time to look this up and I want to read it. This was in 1939. I want to read the opinion of the Supreme Court of the Commonwealth of Pennsylvania.

At the hearing in the court below there was evidence on behalf of the Commonwealth to prove that the operation of a truck-tractor with car over cab, is dangerous and unsafe to the operator thereof and to the traveling public; that the hazards of highway travel are materially increased by the use of these vehicles upon the roads of the Commonwealth, as was shown by testimony establishing the following facts: (a) The automobile over the cab raises the center of gravity of the vehicle, resulting in making its operation difficult, particularly on curves of the type to be found in Pennsylvania; (b) excess weight is placed upon the front wheels of the truck-tractor, thereby affecting detrimentally its steering, the action of its brakes, and throwing its headlights out of focus, to the danger of oncoming traffic, (c) the extension of the carried automobile and the vertical framework supporting it over the cab of the truck-tractor obstruct the vision of the operator, as well as that of drivers of over-taking vehicles; (d) overhead and lateral obstructions along the highway cause the truck-tractor to be operated upon the wrong side of the road, to avoid scratching and damage to the carried vehicle;—

Here is the most important part of this, I think.—

(e) the chains used to anchor the automobile over the cab, and the supporting structure, are insufficient to resist the force transmitted in the event of collision, with the result that the automobile becomes detached and falls on the carrier vehicle.

This is an opinion of the Supreme Court of Pennsylvania, and I will go a little further and give you the witnesses who were called and submitted this evidence.

Among the witnesses called on behalf of defendants were Professor August Ulmann, Jr., a member of the faculty of the Towne Scientific School of the University of Pennsylvania, a mechanical engineer and physicist; Dr. Henry F. King, an automotive engineer connected with the Massachusetts Institute of Technology, and also consulting engineer for some of the larger automobile companies. These witnesses, by calculations based upon actual measurements and study of the equipment used by plaintiffs, and by exhibits showing the formulae used in connection with the law of physics, whereby the center of gravity is determined, testified with respect to the technical questions involved whether the car over the cab causes excess weight on the front wheels, and detrimentally affects steering, braking, headlights, front tires, front axles, vision, and strength of chains used in anchoring the automobile over the cab. In their opinion such equipment is dangerous and unsafe. Defendants also called Alfred Baxter, Harry Edwards and Leroy Marshall, who have been employed and had experience as drivers of this type of vehicle. Their testimony was to the effect that the vision of the operator thereof was obstructed; that the top-heavy weight over the cab interfered with steering and braking, particularly upon curves, because of the slow response of the steering gear, and the inside pull, with a resultant difficulty in straightening out after completion of curves.

Now I say to you people in the House, a long time ago, back in 1935, we corrected a situation which was then



deemed to be unsafe. I say to you that in 1959, if we go back and discount the ruling of the Supreme Court of Pennsylvania and the testimony of people who were called in to testify in this case, then we are not interested in highway safety.

Mr. DENNISON. Mr. Speaker, if the House is not thoroughly confused now I will try to further confuse it.

The gentleman has cited the safety record back in 1935. I think it was Mr. Longfellow who said "Nor tempt the future's portal with the past's blood rusted key." We are not predicting our present day safety program on the 1935 code.

The fact is, and I have the figures before me now, that the record of this type of vehicle is far superior to that of any other type of vehicle engaged in similar pursuits. In other words, here are the percentages, and these are the facts by the National Safety Council: The total accident percentage record of the type of vehicle covered in this type of legislation is .41, the total of all other vehicle engaged in similar enterprise is .64. So that does not give credence to what has been said by the Supreme Court decision.

Also, there has been much improvement in the type of vehicles being used for this purpose, there is a difference in metals, there is a difference in braking, and in every way safety has been improved. If we want a safe means of transportation, I ask each of you to vote for this legislation. Thank you.

Mr. HOCKER. Mr. Speaker, I hate to quarrel with my good friend Mr. Dennison from Jefferson County, but his last statement, "if we want a safe means of transportation," I just cannot see because all it does is to allow a trucker to haul five automobiles instead of four. I just do not get his point.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—142

Anderson,	Frank,	McCandless,	Renwick,
Arlene,	Frascella,	McCann,	Rigby,
Balthaser,	Fulmer,	McDonald,	Riley,
Barton,	Galley,	McLaughlin,	Rovansek,
Boles,	Gallagher,	Machmer,	Rudisill,
Bonner,	Garlock,	Magee,	Sakulsky,
Bower,	Gelfand,	Mahan,	Scarcelli,
Branca,	George,	Markley,	Schaaf,
Breth,	Gibb,	Maxwell,	Schwartz,
Buchanan,	Goodrich,	Meholchick,	Seltzer,
Burns,	Guthrie,	Merry,	Sherman,
Capano,	Hamilton,	Mihm,	Shupnik,
Capitolo,	Henzel,	Mills,	Silverman,
Cianfrani,	Irvia,	Monroe,	Snider,
Cioffi,	Isaacs,	Muldowney,	Stank,
Clarke,	Jenkins,	Mullen,	Stimmel,
Comer,	Jim,	Munley,	Stoner,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stroup,
Dengler,	Johnson, R.,	Murphy, P. J.,	Trusio,
Dennis,	Jones, F. R.,	Murray, H. P.,	Varallo,
Dennison,	Jones, T. H. W.,	Murray, J. J.,	Verona,
Devlin,	Kamyk,	Musto,	Wargo,
Donahue,	Kernaghan,	Needham,	Welsh,
Donaldson,	Kessler,	Nelson,	Wescott,
Dougherty,	Knecht,	O'Donnell, J. A.,	Wheeler,
Down,	Kornick,	O'Donnell, J. P.,	Whittaker,
Edwards,	Korns,	Odorisio,	Williams, E. S.,
Ellberg,	Kovolenko,	O'Neill,	Willard,
Eshback,	Lee, K. B.,	Parlante,	Willaredt,
Ewing,	Leonard,	Pashley,	Wynd,
Farabaugh,	Light,	Perry, H. H.,	Yatron,
Fetterolf,	Limper,	Perry, P. E.,	Yetter,
Fineman,	Lippincott,	Polaski,	Zimmerman,
Floyd,	Lopresti,	Polen,	Andrews,
Flynn,	Luigard,	Reibman,	Speaker
Foerster,	Lutty,	Reidenbach,	

## NAYS—46

Agnew,	Helm,	McInroy,	Stevens,
Ashton,	Hocker,	Miller, B. Z.,	Stewart,
Auker,	Holliday,	Miller, H. G.,	Tompkins,
Blair,	Horst,	Murray, P. G.,	Ujobal,
Bowman,	Jump,	Naugle,	Varnier,
Davis,	Kee,	O'Dell,	Wall,
Eshleman,	Kelser,	Ogilvie,	Walsh,
Filo,	Kooker,	Price,	Weidner,
Fox,	Kubitsky,	Pursley,	Williams, A. D., Jr.,
Goldstein,	Lamb,	Royer,	Wood,
Gramlich,	Lee, A. M.,	Schuster,	Worley,
Heavey,	McCormack,		

## NOT VOTING—20

Bell,	Curwood,	Petrosky,	Strausser,
Boris,	Hefner,	Prendergast,	Sullivan,
Brenninger,	Holt,	Snare,	Taylor,
Brown,	McKeever,	Steckel,	Thompson,
Cooper,	Moran,	Stone,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1457, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act" approved May 31, 1945 (P. L. 1198) increasing the amount of bond and clarifying a provision relating to overburden.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill No. 1457, Printer's No. 1252, is a bill that was amended following a conference in which the Department of Mines and Mineral Industries, Democrat Members of the House, Representatives of the Pennsylvania Open Pit Producers and the sportsmen of Pennsylvania participated.

Now in House Bill No. 1457, in the amended bill, this is a compromise. The original bill called for complete backfilling following the stripping of coal. The present bill provides that you backfill three feet above the level of the coal. Let us take for example that the high wall cut is 80 feet. If the high wall cut was 80 feet, the backfill would be three feet above the coal that was removed, leaving a high wall of 77 feet. The bill as it was introduced required complete backfilling of that high wall. What is the compromise? The compromise, if you read the bill carefully, says that 50 percent of the high wall shall be backfilled, which means that if the same cut was made at 80 feet, removing the overcast, instead of backfilling three feet, they would be a backfill of 40 feet and the degree of slope shall not exceed 45 degrees. For instance on the land that you are trying to conserve, to save, to bring back into productivity, to use it in game and conservation programs of Pennsylvania, you are now going to eliminate the high wall which is the one item that has bothered all of us in Pennsylvania.

House Bill 1457 is a piece of legislation that every coal operator in Pennsylvania can live with and help to make Pennsylvania more beautiful and still make a profit in mining open pit coal. This is a fact, for we in the Department of Mines and Mineral Industries have let open competitive bids in backfilling where the high walls were left. This is a matter of record, how much it costs

to backfill. These are open for public inspection. In this bill the Department of Mines and Mineral Industries agrees to this compromise in the bill, a compromise that I think is good for Pennsylvania, good for the coal producers, the open pit producers, and good for the people who want to bring back the land where these high walls exist. So very simply House Bill 1457 does the following: When they make the cut for the coal, and where they now leave the high wall that leaves that scarred face of the earth, that you all have complained about, that you do not want in your back yard, but it is there wherever we have open pit mining, and this would now start to slope that back wall at 45 degrees and bring the fill to one-half the depth of the high wall. It is very simple. That is what the bill does and this is a bill that I can say is now endorsed by the sportsmen of Pennsylvania, even though they did want the bill in its original form, which called for the complete backfilling of the high wall.

We are not trying to pass legislation to place our Pennsylvania open pit coal producers in an unfair position with their neighbors in other states. We believe that this is sound, we believe that they will also agree that it is, and will help to restore this land of ours where open pit mining exists in the bituminous fields of Pennsylvania.

Mr. Speaker, I urge every Member of this House to support this legislation.

Mr. BUCHANAN. Mr. Speaker, this bill as it is still written will increase the cost of the production of coal. The coal industry today cannot stand an increase in production. We must keep the cost of production down. For that reason I ask the House to vote against this bill, I request a slow roll call.

Mr. McCANN. Mr. Speaker, may I have permission to interrogate the gentleman from Indiana, Mr. Buchanan?

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. BUCHANAN. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Indiana, Mr. Buchanan, inform the House if 1457 were a law how much more it would cost per ton in open pit bituminous mining in Pennsylvania than it does at the present time?

Mr. BUCHANAN. Of course, it would depend on the depth of the pit. As the bill was originally written, it would probably have cost in the neighborhood of from 25 to 50 cents a ton.

Mr. McCANN. Mr. Speaker, would the gentleman inform us in his opinion if the figures were 25 cents a ton as the bill was originally written, what, in his opinion, would it cost now?

Mr. BUCHANAN. Of course, that would depend, as I said before, on the depth of the pit. If the pit is deep then it would cost considerably more per ton.

Mr. McCANN. Mr. Speaker, would the gentleman from Indiana inform us as to what his source of facts is regarding the cost per ton of increasing this cost?

Mr. BUCHANAN. I might add that under the present law it costs each company the same amount per ton, because you put an overburden of three feet over the coal, but under this bill, in some instances it would be 40 feet, in others 20 feet.

Mr. McCANN. Mr. Speaker, I thank the gentleman.

If it costs, as the gentleman from Indiana said, 25 cents a ton as the bill originally was drawn, then the bids which are a matter of public record, on which the Department of Mines and Mineral Industries has open competitive bids as to backfilling in areas where these high walls were left, then there must be something wrong with the cost, because the records of the bids in 1957 and '58, which are a matter of public record in the Department of Mines and Mineral Industries, clearly indicate that the bids which they used in backfilling and completed did not exceed the neighborhood of six to eight cents per ton. If this is so, and this is a matter of record, what are we doing? They backfilled the complete contour of the land. They brought it back to its natural contour condition. We are not going to that position. We are going to one-half of the fill.

If you oppose this legislation, then you favor the high walls to be left in Pennsylvania. If the coal is 80 feet deep, and you backfill three feet, you favor a 77-foot high wall to be left in your county and mine, and that is the way you want it left because that is what the law is. But, if you vote for 1457 in its amended form, you favor the sloping of the grade from the present high wall to one-half the distance of the cut, which means on an 80 foot cut there would be a 40 foot backfill and 45 degree slope, bringing it to the high wall.

This is a step which Pennsylvania has long needed. The bond in this bill was reduced because the bond is not needed in the amount as originally placed in this bill to do this job. Those who say that it will cost this figure do not have any facts to stand on the cost. The matter of public record on the bids clearly indicates that in this case the costs are not there. This is a matter of trying to make Pennsylvania the place that we want it to look like. We want to mine this coal. We want these people to be on a competitive basis with their neighbors in this industry in other states, and yes, last but not least, we want this land restored.

All I need to say is take a good trip and look through Clarion County, look through Indiana County, look through Westmoreland County, look through Allegheny, Fayette, Washington, Greene, and Somerset, and if you do not know what a high wall looks like in a bituminous field you can see it there completed according to law. This is the bituminous field we speak of, this is the type of legislation that the sportsmen are willing to agree to, we can agree to it, and I ask the unanimous support of every Member in this House in the passing of this legislation.

Mr. BUCHANAN. Mr. Speaker, as I previously said, I am opposed to legislation that will increase the cost of the production of coal. From my area we sell much of our coal in the New York area. This means that we must compete with cheap residual oils and other fuels produced in this country. For this reason I am going to vote against this bill. I want to keep these miners employed in my area.

Mr. FOX. Mr. Speaker, in the early portion of the Majority Leader's remarks he mentioned that we have these strip mines in our backyards. From my backyard I can see five such strip mines in various stages of being reclaimed or stages of abandonment. They run the range from complete restoration to agricultural use to complete abandonment with deep high walls and high piles of



overburden that will forever, unless later leveled, be worthless real estate.

It seems to me in view of the fact that much of this land can be reclaimed for agricultural purposes, still other land reclaimed for growing of trees and conservation purposes, that it is a very high price in tax revenue for local governments and in productive farm lands for the Commonwealth to pay to keep the price of mining coal at the present level.

Mr. McCANN. Mr. Speaker, I just wanted to insert into the record that there are some of our major companies in Pennsylvania which I am permitted to name, for example, which require that all of their strippers backfill every piece of their ground to contour level. This is not law; this is a regulation that they impose upon their people. I think that it is fair to say that one of the major companies in the use of coal in Pennsylvania, the United States Steel Corporation, requires that very thing. Many people who let these contracts themselves, that is, the individual farm owner or land owner, also secure this agreement. But, this again is not law. This is a separate agreement.

I think it is time that we in Pennsylvania stand on our feet. We are not trying to hurt anyone, to stand up here and try to guarantee to the future that no more of our land will be placed in the useless category and try to develop a sensible, sound legislative program on the backfill of the open pit bituminous mining industry, a piece of legislation that I believe anyone will tell you is long overdue.

Mr. BUCHANAN. Mr. Speaker, the statement that was made by the Majority Leader is certainly true that some companies require the complete backfilling of strip mines, but there are certain other factors we should know in those cases.

Some of those companies bought that coal years and years ago, whereas some companies today are buying new coal lands. There is considerable difference in the cost which they must pay for this coal. The companies that are buying coal land today certainly are at a disadvantage when it comes to production costs.

Mr. GRAMLICH. Mr. Speaker, with the permisison of the House I would like to make a few brief remarks regarding this bill. This has not been touched upon—the remarks that I intend to make.

At the present time we are confronted with possibly 90 to 100,000 fishing licenses that are short this year. We have had two hearings before the Senate Committee. We have backwater in my county as well as Clearfield and Clarion and many other counties. I say to you everyone who is within my hearing, and that is this, it isn't the major companies that are doing these things. It is the smaller companies who get a permit possibly for ten acres of land, and with the bond as low as it has been, they not only strip the ten or fifteen acres for which they have a permit, they strip twenty-five or thirty or more acres, forfeit the bond and leave an acid hole in the ground.

This is what has been said in a recent publication by one of our outdoor writers. I appeal now especially to the men who are fishermen.

The sacrifice of fine trout fishing waters to strip mining pollution, mud and acid is inestimable. This loss is almost total in Clarion and Butler Counties. Venango County's few remain-

ing trout streams are threatened as open pit miners keep hammering away for permits on high, unpolluted headwaters.

As an example, Hemlock Creek, which flows through seven wild miles of this beautiful country in President Township and which has served and satisfied hundreds of camp fishermen and transients for years, now has a slight touch of acid.

I have traveled, this is not quoted, a stream from its source to the mouth where it empties into the Allegheny River and there is not any, or was not a year ago, semblance of life in this beautiful stream. At the headwaters, by the way, is a very large coal bank in a pond which should be rectified, which pollutes this stream.

Camp fishermen entrenched for years now find a slight touch of acid in this stream because of strip mining and coal washing in Washington Township, Clarion County, Venango County and many others. I say to you that we will sell more fishing licenses if we will vote for this bill, increase the bond, and let these gentlemen, so-called, go put the dirt back after they take it out. It will not cost so much money that it is going to increase the cost twenty-five cents a ton. That figure I disagree with.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—152

Agnew,	Galley,	McCann,	Rigby,
Anderson,	Gallagher,	McCormack,	Riley,
Arlene,	Garlock,	McDonald,	Rovansek,
Balthaser,	Gelfand,	McInroy,	Rudisill,
Barton,	George,	McLaughlin,	Sakulsky,
Boies,	Gibb,	Machmer,	Scarcelli,
Bonner,	Goldstein,	Magee,	SchAAF,
Bowman,	Goodrich,	Mahan,	Schuster,
Branca,	Gramlich,	Markley,	Schwartz,
Breth,	Hamilton,	Maxwell,	Sherman,
Burns,	Heavey,	Meholchick,	Shupnik,
Capano,	Henzel,	Merry,	Silverman,
Capitolo,	Hocker,	Mihm,	Snider,
Cianfrani,	Irviss,	Mills,	Stank,
Cioffi,	Isaacs,	Monroe,	Stevens,
Clarke,	Jenkins,	Muldowney,	Stewart,
Comer,	Jim,	Mullen,	Stimmel,
Crossin,	Johnson, A. W.,	Munley,	Stoner,
Dengler,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Dennis,	Jones, F. R.,	Murphy, P. J.,	Tompkins,
Devlin,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Donahue,	Jump,	Musto,	Varallo,
Donaldson,	Kamyk,	Needham,	Verona,
Dougherty,	Kernaghan,	Nelson,	Walsh,
Down,	Knecht,	O'Dell,	Wargo,
Edwards,	Kornick,	O'Donnell, J. A.,	Welsh,
Ellberg,	Korns,	O'Donnell, J. P.	Wheeler,
Eshleman,	Kovolenko,	Odoriso,	Williams, A. D., Jr.,
Farabaugh,	Kubitsky,	O'Neill,	Williams, E. S.,
Fetterolf,	Lamb,	Parlante,	Willard,
Filo,	Lee, K. B.,	Pashley,	Willaredt,
Fineman,	Leonard,	Perry, H. H.,	Wood,
Floyd,	Light,	Perry, P. E.,	Worley,
Flynn,	Limper,	Polaski,	Wynd,
Foerster,	Lippincott,	Polen,	Yatron,
Fox,	Lopresti,	Reibman,	Yetter,
Frank,	Luigard,	Reidenbach,	Zimmerman,
Frascella,	Lutty,	Renwick,	Andrews,
			Speaker

#### NAYS—35

Ashton,	Fulmer,	Lee, A. M.,	Royer,
Auker,	Guthrie,	Miller, B. Z.,	Seltzer,
Blair,	Helm,	Miller, H. G.,	Ujobai,
Bower,	Holliday,	Murray, H. P.,	Varnier,
Buchanan,	Horst,	Murray, P. G.,	Wall,
Davis,	Kee,	Naugle,	Weldner,
Dennison,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kessler,	Price,	Whittaker,
Ewing,	Kooker,	Pursley,	

## NOT VOTING—21

Bell,	Heffner,	Petrosky,	Strausser,
Boris,	Holt,	Prendergast,	Sullivan,
Brenninger,	McCandless,	Snare,	Taylor,
Brown,	McKeever,	Steckel,	Thompson,
Cooper,	Moran,	Stone,	Wilt,
Curwood,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,  
House Bill No. 1542, Printer's No. 1253,  
House Bill No. 1633, Printer's No. 1300,  
House Bill No. 1639, Printer's No. 1301,  
House Bill No. 1652, Printer's No. 1287, and  
House Bill No. 1802, Printer's No. 1255,  
were passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1805, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing for the spraying and control of insects on public or private property.

And said bill having been read at length the third time, considered and agreed to .

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—151

Agnew,	Fulmer,	McDonald,	Royer,
Anderson,	Galley,	McLaughlin,	Rudisill,
Arlene,	Gallagher,	Machmer,	Sakulsky,
Balthaser,	Garlock,	Mahan,	Scarcell,
Blair,	Gelfand,	Markley,	Schaaf,
Boles,	George,	Maxwell,	Schuster,
Bonner,	Gibb,	Meholchick,	Schwartz,
Bower,	Goldstein,	Merry,	Seltzer,
Bowman,	Guthrie,	Mihm,	Sherman,
Branca,	Hamilton,	Miller, B. Z.,	Shupnik,
Breth,	Heavey,	Mills,	Silverman,
Burns,	Helm,	Monroe,	Snider,
Capano,	Irviss,	Muldowney,	Stank,
Capitolo,	Jenkins,	Mullen,	Stevens,
Cianfrani,	Jim,	Munley,	Stewart,
Cioffi,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmell,
Clarke,	Johnson, R.,	Murray, H. P.,	Trusio,
Comer,	Jones, F. R.,	Murray, J. J.,	Ujobal,
Crossin,	Jump,	Murray, P. G.,	Varallo,
Dennis,	Kamyk,	Musto,	Varnier,
Dennison,	Kee,	Naugle,	Verona,
Devlin,	Kessler,	Needham,	Wall,
Donahue,	Knecht,	Nelson,	Walsh,
Donaldson,	Kooker,	O'Donnell, J. A.,	Wargo,
Dougherty,	Kornick,	O'Donnell, J. P.,	Weldner,
Down,	Korns,	O'Neil,	Welsh,
Ellberg,	Kovolenko,	Parlante,	Wheeler,
Eshback,	Kubitsky,	Pashley,	Williams, A.D., Jr.,
Eshleman,	Lamb,	Perry, H. H.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, P. E.,	Willard,
Filo,	Lee, K. B.,	Polaski,	Wood,
Fineman,	Leonard,	Polen,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lopresti,	Reldenbach,	Yatron,
Foerster,	Luigard,	Renwick,	Yetter,
Fox,	Lutty,	Rigby,	Zimmerman,
Frank,	McCann,	Riley,	Andrews,
Frascella,	McCormack,	Rovansek,	Speaker

## NAYS—37

Ashton,	Gramlich,	Light,	Ogilvie,
Auker,	Henzel,	Lippincott,	Price,
Barton,	Hocker,	McCandless,	Pursley,
Buchanan,	Holliday,	McInroy,	Stoner,
Davis,	Horst,	Magee,	Stroup,
Dengler,	Isaacs,	Miller, H. G.,	Tompkins,
Edwards,	Jones, T. H. W.,	Murphy, P. J.,	Wescott,
Ewing,	Kelser,	O'Dell,	Whittaker,
Fetterolf,	Kernaghan,	Odoristo,	Willaredt,
Goodrich,			

## NOT VOTING—20

Bell,	Curwood,	Petrosky,	Strausser,
Boris,	Heffner,	Prendergast,	Sullivan,
Brenninger,	Holt,	Snare,	Taylor,
Brown,	McKeever,	Steckel,	Thompson,
Cooper,	Moran,	Stone,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1893, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing that the additional examination required for school bus operators shall also apply to operators of buses subject to the jurisdiction of the Pennsylvania Public Utility Commission which carry school children.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. T. H. W. JONES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mrs. HENZEL. Mr. Speaker, I second the motion.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. T. H. W. JONES asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 609), page 3, lines 7 and 8, by striking out "and whether or not".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. FINEMAN. I would like to interrogate the gentleman from Montgomery, Mr. Jones.

The SPEAKER. Will the gentleman from Montgomery, Mr. Jones, permit himself to be interrogated?

Mr. T. H. W. JONES. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, will the gentleman tell the Members of the House the purpose of his amendments?

Mr. T. H. W. JONES. Mr. Speaker, the purpose of these amendments is to delete the portion of those amendments which I believe were offered by the gentleman from Philadelphia, Mr. Fineman.

Specifically, Mr. Fineman, I believe, amended the bill



at a time when I did not know he was going to amend it and apparently when I was out of the room, and they change the purpose of the bill as originally written.

Mr. FINEMAN. Will the gentleman tell me what the purpose of the bill, as originally written, was prior to the original amendments?

Mr. T. H. W. JONES. Yes, I will, Mr. Speaker. Briefly, the law for a long time has required a special driver's examination for school bus operators, and apparently the words "school bus operators" have meant legally only those school bus operators who are employed by the school districts.

Some of the safety councils down in my section of the state have complained in instances where a school district have contracted with a carrier, perhaps under the Public Utility Commission, has entered into a contract with him to carry their school children. In this case, of course, the gentleman will recognize he is an independent contractor and not an employee, and the drivers of that contract carrier are not required to have any school bus operators' examinations. It was the feeling of our safety council down my way that all people who drove children should take the same examination if they were employed by a school district or independent contractors for the school district.

If the gentleman will permit me a minute, I will anticipate what I think he is going to say.

The gentleman's amendments broaden the scope of the bill to include any bus driver who is to carry children back and forth to school. In other words, the bus driver here in Harrisburg, let's say, on the regular bus route, would have to take this school bus drivers' special examination.

I am not prepared to say necessarily that that is a bad thing, in itself. It just simply is an extension of the idea that has been a part of so much legislation we passed in the House that when children are subject to the jurisdiction, or under the control of the school system, then they are given special safety treatment.

For example, a week or so ago in this House we had a bill involving fire extinguishers in school buses, and we forbade the use of a certain type of fire extinguishers in school buses. Well, it could be argued it is perfectly silly to forbid its use in the school bus but yet to permit it in other places where children might congregate. Nevertheless, we cannot protect our children everywhere, it seems to me, and our efforts should be devoted to protect them when they are under the school system and under its control, and that I think is sufficient.

Hence, I am changing the bill to provide that, or trying to.

Mr. FINEMAN. Mr. Speaker, is the gentleman of the opinion that carriers exclusively of school children, and particularly the operator of the buses, should as a safety requirement have to take these additional examinations? That is, limiting this question now only to those carriers who carry school children exclusively.

Mr. T. H. W. JONES. I am not sure I understand the gentleman one hundred percent, but that is the purpose of my amendments, to limit this special examination requirement only to those drivers who carry school children as employees of the school district or under contract to the school district to carry them.

Mr. FINEMAN. Is it not a fact that there are persons

who are licensed by the Public Utility Commission to carry school children whose franchise is limited only to the transportation of school children and who are not under contract?

Mr. T. H. W. JONES. In answer to that, Mr. Speaker, I just do not know, but I doubt it.

Mr. FINEMAN. Well, by way of informing the gentleman I would tell him there are licensees under our Public Utility Commission regulations today whose rights, granted by the Public Utility Commission, are limited solely to the transportation of school children and who have no contract with any school district.

Now do you not feel, assuming for purposes of this discussion, that these carriers should be subject to the requirements of this bill also?

Mr. T. H. W. JONES. Mr. Speaker, could the gentleman explain to me what sort of a situation those particular bus companies have? I do not understand.

Mr. FINEMAN. Yes, I will be glad to. For instance, in the city of Philadelphia, and I know this must be equally true throughout the state, there is the PUC licensee who is authorized by the PUC to transport and carry school children to and from their homes and their respective schools. They are not permitted to carry anyone other than school children, and they are not permitted to go outside of certain designated routes. Their activities are limited solely to the transportation of school children. These licensees do not necessarily have to have a contract with any school district.

From the standpoint of safety of the children, and that is what we are principally and primarily concerned with, the drivers of those buses should be required to take the additional examination just as are the drivers of school buses where they are under contract with the school districts.

Mr. T. H. W. JONES. Well, Mr. Speaker, one further thing, do these carriers charge so much a ride, charge the children?

Mr. FINEMAN. Yes, so much per fare.

Mr. T. H. W. JONES. So much per fare, and they carry nobody but school children?

Mr. FINEMAN. Just the school children.

Mr. T. H. W. JONES. Mr. Speaker, is the gentleman through interrogating me?

Mr. FINEMAN. For the moment.

Mr. T. H. W. JONES. Will the gentleman yield to me for a moment?

Mr. FINEMAN. I shall.

Mr. T. H. W. JONES. Mr. Speaker, I am inclined to agree with the gentleman if such public carriers do exist. I think anybody who carries school children under contract, or is an employee of the school district or who has a certificate of convenience from the Public Utility Commission limited so that that carrier carries nothing but children, he should be included in this bill. Is that the gentleman's purpose in interrogating?

Mr. FINEMAN. That is. Will the gentleman therefore withdraw his amendments?

Mr. T. H. W. JONES. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Fineman, one question. Will he permit that?

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FINEMAN. I shall.

Mr. T. H. W. JONES. Mr. Speaker, would the gentleman from Philadelphia permit me to add something to these amendments to take care of this situation so they could be offered a second time?

Mr. FINEMAN. Of course.

Mr. T. H. W. JONES. Thank you.

Mr. T. H. W. JONES. Mr. Speaker, I request permission to withdraw the amendments that I have offered.

The SPEAKER. If there is no objection permission is granted. The Chair hears none.

On the question recurring,

Will the House agree to the bill on third reading?

### BILL POSTPONED

Mr. T. H. W. JONES. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

### Mr. TOMPKINS IN THE CHAIR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1196) entitled "An Act requiring the county commissioners to provide at the expense of the county telephone service typewriters \* \* \* for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—185

Agnew,	Galley,	McCormack,	Riley,
Anderson,	Gallagher,	McDonald,	Rovansek,
Arlene,	Garlock,	McInroy,	Royer,
Ashton,	Gelfand,	McLaughlin,	Rudisill,
Auker,	George,	Machmer,	Sakulsky,
Balthaser,	Gibb,	Magee,	Scarcell,
Blair,	Goldstein,	Mahan,	Schuster,
Boles,	Goodrich,	Markley,	Schwartz,
Bonner,	Gramlich,	Maxwell,	Seltzer,
Bower,	Guthrie,	Meholchick,	Sherman,
Bowman,	Hamilton,	Merry,	Shupnik,
Branca,	Heavey,	Mihm,	Silverman,
Breth,	Helm,	Miller, B. Z.,	Snider,
Buchanan,	Henzel,	Miller, H. G.,	Stank,
Burns,	Holliday,	Mills,	Stevens,
Capano,	Horst,	Monroe,	Stewart,
Capitolo,	Irviss,	Muldowney,	Stimmel,
Cianfrani,	Jenkins,	Mullen,	Stoner,
Cloff,	Jim,	Munley,	Stroup,
Clarke,	Johnson, A. W.,	Murphy, A. J., Jr.,	Varallo,
Comer,	Johnson, R.,	Murphy, P. J.,	Verar,
Crossin,	Jones, F. R.,	Murray, H. P.,	Verona,
Davis,	Jones, T. H. W.,	Murray, J. J.,	Wall,
Dengler,	Jump,	Murray, P. G.,	Walsh,
Dennis,	Kamyk,	Musto,	Wargo,
Dennison,	Kee,	Naugle,	Weldner,
Devlin,	Kelser,	Needham,	Welsh,
Donahue,	Kernaghan,	Nelson,	Wescott,
Donaldson,	Kessler,	O'Dell,	Wheeler,
Dougherty,	Knecht,	O'Donnell, J. A.,	Whittaker,
Down,	Kooker,	O'Donnell, J. P.,	Williams, E. S.,
Edwards,	Kornick,	Odoriso,	Willard,
Ellberg,	Korns,	Ogilvie,	Willaredt,
Eshback,	Kovolenko,	O'Neill,	Wood,
Eshleman,	Kubitsky,	Parlante,	Worley,
Ewing,	Lamb,	Pashley,	Wynd,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Yatron,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	
Fillo,	Leonard,	Polaski,	
Fineman,	Light,	Polen,	
Floyd,	Limper,	Price,	
Flynn,	Lippincott,	Pursley,	

Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,

Lopresti,  
Luigard,  
Lutty,  
McCandless,  
McCann,

Reibman,  
Reidenbach,  
Renwick,  
Rigby,

Yetter,  
Zimmerman,  
Andrews,  
Speaker

### NAYS—3

Barton,

Hocker,

Isaacs,

### NOT VOTING—20

Bell,  
Boris,  
Brenninger,  
Brown,  
Cooper,

Curwood,  
Heffner,  
Holt,  
McKeever,  
Moran,

Petrosky,  
Prendergast,  
Snare,  
Steckel,  
Stone,

Strausser,  
Sullivan,  
Taylor,  
Thompson,  
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection

House Bill No. 1984, Printer's No. 1184, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2006, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) permitting retail licensees to furnish free cheese and bologna.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—184

Agnew,	Gallagher,	McCann,	Rigby,
Anderson,	Garlock,	McCormack,	Riley,
Arlene,	Gelfand,	McDonald,	Rovansek,
Ashton,	George,	McInroy,	Royer,
Auker,	Gibb,	McLaughlin,	Rudisill,
Balthaser,	Goldstein,	Machmer,	Sakulsky,
Barton,	Goodrich,	Magee,	Scarcell,
Blair,	Gramlich,	Mahan,	Schuster,
Boles,	Guthrie,	Markley,	Schwartz,
Bonner,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Helm,	Merry,	Shupnik,
Branca,	Henzel,	Mihm,	Silverman,
Breth,	Holliday,	Miller, B. Z.,	Snider,
Buchanan,	Horst,	Miller, H. G.,	Stank,
Burns,	Irviss,	Mills,	Stevens,
Capano,	Isaacs,	Monroe,	Stewart,
Capitolo,	Jenkins,	Muldowney,	Stimmel,
Cianfrani,	Jim,	Mullen,	Stoner,
Cloff,	Johnson, A. W.,	Munley,	Stroup,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.,	Thompson,
Comer,	Jones, F. R.,	Murphy, P. J.,	Trusio,
Crossin,	Jones, T. H. W.,	Murray, H. P.,	Ujobal,
Davis,	Jump,	Murray, J. J.,	Varallo,
Dengler,	Kamyk,	Murray, P. G.,	Verar,
Dennis,	Kee,	Musto,	Verona,
Dennison,	Kelser,	Naugle,	Wall,
Devlin,	Kernaghan,	Needham,	Walsh,
Donahue,	Kessler,	Nelson,	Wargo,
Donaldson,	Knecht,	O'Dell,	Weldner,
Dougherty,	Kooker,	O'Donnell, J. A.,	Welsh,
Down,	Kornick,	O'Donnell, J. P.,	Wescott,
Edwards,	Korns,	Odoriso,	Wheeler,
Ellberg,	Kovolenko,	Ogilvie,	Whittaker,
Eshback,	Kubitsky,	O'Neill,	Williams, E. S.,
Eshleman,	Lamb,	Parlante,	Willard,
Ewing,	Lee, A. M.,	Pashley,	Willaredt,
Farabaugh,	Lee, K. B.,	Perry, H. H.,	Wood,
Fetterolf,	Leonard,	Perry, P. E.,	



Filo, Fineman, Floyd, Flynn, Frank, Frascella, Fulmer, Galley,	Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Polaski, Polen, Price, Pursley, Reibman, Reidenbach, Renwick,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—4

Foerster,	Fox,	Hocker,	Williams, A.D., Jr.,
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## NOT VOTING—20

Bell, Boris, Brenninger, Brown, Cooper,	Curwood, Heffner, Holt, McKeever, Moran,	Petrosky, Prendergast, Snare, Steckel, Stone,	Strausser, Sullivan, Taylor, Tompkins, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2140, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) requiring that certain food which has been frozen and permitted to thaw out be marked to give notice thereof to the purchaser.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Blair, Boies, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavy, Helm, Henzel, Hocker, Holliday, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light,	McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Dorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen,	Rigby, Riley, Rovanseck, Royer, Rudisill, Sakulsky, Scarcelli, Schuapnik, Sherman, Shupnik, Silverman, Snider, Stank, Stevens, Stewart, Stimmel, Stoner, Stroup, Tompkins, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Wynd,
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Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Limper, Lippincott, Lopresti, Luigard, Lutty,	Price, Pursley, Reibman, Reidenbach, Renwick,	Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Bell, Boris, Brenninger, Brown, Cooper,	Curwood, Heffner, Holt, McKeever, Moran,	Petrosky, Prendergast, Snare, Steckel, Stone,	Strausser, Sullivan, Taylor, Thompson, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 387, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing that no person holding the office of justice of the peace shall act as secretary or secretary-treasurer of the board of township supervisors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—173

Agnew, Anderson, Arlene, Ashton, Auker, Barton, Blair, Boies, Bonner, Bowers, Buchanan, Burns, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavy, Helm, Henzel, Hocker, Holliday, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott,	Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Price, Pursley, Reidenbach,	Renwick, Rigby, Riley, Rovanseck, Royer, Sakulsky, Scarcelli, Schuapnik, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Stevens, Stewart, Stimmel, Stoner, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wood, Wynd, Yatron, Zimmerman, Andrews, Speaker
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## NAYS—15

Balthaser, Capano, Horst, Isaacs,	Machmer, Munley, Murphy, A. J., Jr., O'Dell,	O'Neill, Reibman, Rudisill, Stroup,	Tompkins, Worley, Yetter,
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## NOT VOTING—20

Bell, Boris, Brenninger, Brown, Cooper,	Curwood, Heffner, Holt, McKeever, Moran,	Petrosky, Prendergast, Snare, Steckel, Stone,	Strausser, Sullivan, Taylor, Thompson, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL PASSED OVER

There being no objection

Senate Bill No. 424, Printer's No. 1243, was passed over at the request of the SPEAKER pro tempore.

## BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1726, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Property and Supplies to acquire title to real property and to provide for the construction of public buildings thereon by rental purchase contracts.

## RECONSIDERATION OF VOTE

Mr. JIM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JIM asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2418), page 3, line 12, by inserting after "Commonwealth," "except land of the Pennsylvania Game Commission."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 20, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs towns and townships and the regulation and maintenance thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Blair, Boles, Bonner, Bower, Bowman, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Gramlich, Guthrie, Hamilton, Heavey, Helm, Henzel, Hocker, Holliday, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Luttv.	McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorislo, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Price, Pursley, Reibman, Reidenbach,	Renwick, Rigby, Riley, Rovanssek, Royer, Rudisill, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Stevens, Stewart, Stimmel, Stoner, Stroup, Truslo, Ujbal, Varallo, Varnier, Verona, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—4

Edwards,	Goodrich,	Tompkins,	Wall,
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## NOT VOTING—20

Bell, Boris, Brenninger, Brown, Cooper,	Curwood, Heffner, Holt, McKeever, Moran,	Petrosky, Prendergast, Snare, Steckel, Stone,	Strausser, Sullivan, Taylor, Thompson, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,



The House proceeded to the third reading and consideration of House Bill No. 168, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the use of vulgar or profane language in public places.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS— 172

Agnew,	Galley,	McCormack,	Rigby,
Anderson,	Gallagher,	McDonald,	Riley,
Arlene,	George,	McInroy,	Rovansek,
Ashton,	Gibb,	McLaughlin,	Royer,
Auker,	Goldstein,	Machmer,	Sakulsky,
Barton,	Goodrich,	Magee,	Scarcelli,
Blair,	Gramlich,	Mahan,	Schaaf,
Boles,	Guthrie,	Markley,	Schuster,
Bonner,	Hamilton,	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Bowman,	Helm,	Merry,	Sherman,
Branca,	Henzel,	Mihm,	Shupnik,
Breth,	Holliday,	Miller, B. Z.,	Silverman,
Buchanan,	Horst,	Miller, H. G.,	Snider,
Burns,	Irvis,	Mills,	Stank,
Capano,	Isaacs,	Monroe,	Stevens,
Capitolo,	Jenkins,	Muldowney,	Stewart,
Cianfrani,	Jim,	Mullen,	Stimmel,
Cioffi,	Johnson, A. W.,	Munley,	Stoner,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Comer,	Jones, F. R.,	Murray, H. P.,	Tompkins,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Davis,	Jump,	Murray, P. G.,	Ujohal,
Dengler,	Kamyk,	Musto,	Varallo,
Dennis,	Kee,	Naugle,	Varner,
Dennison,	Keiser,	Needham,	Wall,
Devlin,	Kernaghan,	Nelson,	Walsh,
Donahue,	Kessler,	O'Dell,	Wargo,
Dougherty,	Knecht,	O'Donnell, J. A.,	Weidner,
Down,	Kooker,	O'Donnell, J. P.	Welsh,
Edwards,	Kornick,	Odorisio,	Wescott,
Eilberg,	Korns,	O'Neil,	Wheeler,
Eshback,	Kovolenko,	Parlante,	Whittaker,
Eshleman,	Kubitsky,	Pashley,	Williams, E. S.,
Ewing,	Lee, K. B.,	Perry, H. H.,	Willard,
Farabaugh,	Leonard,	Perry, P. E.,	Willaredt,
Filo,	Light,	Polaski,	Wood,
Floyd,	Limper,	Polen,	Wynd,
Flynn,	Lopresti,	Price,	Yatron,
Foerster,	Luigard,	Pursley,	Yetter,
Fox,	Lutty,	Reibman,	Zimmerman,
Frank,	McCandless,	Reidenbach,	Andrews,
Frascella,	McCann,	Renwick,	Speaker
Fulmer,			

#### NAYS—16

Balthaser,	Garlock,	Lee, A. M.,	Rudisill,
Donaldson,	Gelfand,	Lippincott,	Verona,
Fetterolf,	Hocker,	Murphy, P. J.,	Williams, A. D., Jr.,
Fineman,	Lamb,	Ogilvie,	Worley,

#### NOT VOTING—20

Bell,	Curwood,	Petrosky,	Strausser,
Boris,	Heffner,	Prendergast,	Sullivan,
Brenninger,	Holt,	Snare,	Taylor,
Brown,	McKeever,	Steckel,	Thompson,
Cooper,	Moran,	Stone,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### REASONS FOR VOTE

Mr. WORLEY filed the following reason for his vote on House Bill No. 168:

I believe this bill not to be constitutional.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

On the question,

Will the House agree to the bill on third reading?

Mr. A. D. WILLIAMS asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1, page 2, line 12, by inserting after "centum": "levied for purposes of public education."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. A. D. WILLIAMS. Mr. Speaker, this is an important piece of legislation. I think that this House this Session has had more experience with the art of compromise than perhaps any other in the history of the Commonwealth.

We are faced here with a bill which is within the tradition of one of the great parties of Pennsylvania and apparently contrary to the tradition of the other great party of Pennsylvania. We have in this House recently passed a four percent sales tax. Many of us may differ as to how high a sales tax can go in percentage levy, but I think we will all agree that it is now approaching, if it has not already reached, that limit. Yet, as evidenced by communications which I think we have all received today there is still a great need for public money, tax money for education in Pennsylvania. I am referring to a letter which all of us have received regarding House Bill No. 1108.

So, I think that one of the greatest rising costs in the Commonwealth of Pennsylvania is the need for money for education.

I believe that the sponsor of this resolution was as concerned as I, and as I am sure many others are, that if this resolution is passed and if this constitutional change is adopted by the people of Pennsylvania, there is a fear that an income tax, a graduated income tax might extend to such great lengths and go up in such high percentages that it would be an onerous burden on the people of Pennsylvania. I think the sponsor of this bill saw that danger and thereby put in a six percent maximum.

I think there can be a second safeguard, and I think this amendment would provide that second safeguard. In other words, an income tax if it ever became the law in Pennsylvania, should only extend to the amount of money needed for public education. Today that amount is approximately 46 percent of our General Fund budget. I believe the figure is \$884 million out of some \$1.907 billion that Governor Lawrence requested. This would mean that the other taxes whether they be on corporations, luxuries, or what I call nuisance taxes on individuals, and the Sales Tax which we still, I think, will have in the future, would have to raise the rest of the money. I think

this is a good safeguard for the people of Pennsylvania. I think it would result in a compromise, it would still retain a Sales Tax which one great party thinks is the best broad-based tax, and we would then have a graduated income tax, which the other great party thinks is the better broadbase tax.

I put this amendment in because I think education should be tied to a tax which is capable of raising all of the funds needed for education. I think a great many of the problems of this Session and of past Sessions have been because of the need of money for public education, and yet no specific tax was assigned to do that job. I think that this amendment would alleviate the fear of many that an income tax, once passed, would get out of hand and would have a percentage that would go too high. I think that the purposes of education would be reasonable purposes or this Legislature and future Legislatures would not pass legislation which would enact the high rate.

I think that the purpose is clear, the wording is clear. This would put on the ballot for the voters, if it passed two Sessions of this Assembly, the proposition that a graduated income tax could be enacted under the Constitution of Pennsylvania, but it would be restricted to the purposes of public education. I would like to see this amendment passed.

I will be happy to accept a division.

Mr. McCANN. Mr. Speaker, the amendment offered by the gentleman from Bucks, Mr. Williams, to House Bill No. 263 would insert into the Joint Resolution, "levied for the purposes of public education." I rise to oppose the amendment offered by the gentleman from Bucks.

The Joint Resolution as outlined, if it passed two Sessions of this General Assembly, would be placed on the ballot for the people of Pennsylvania to decide whether they favor that change in our Constitution, and if they believe, as we do, they will vote favorably on such a resolution, changing the Constitution of Pennsylvania. We favor immensely the position that the Joint Resolution changing the Constitution which would permit a graduated income tax not to exceed more than six percentum, would be allocated to the General Fund for, yes, education, welfare, health and all the other agencies of state government.

I rise to oppose the amendment, even though the amendment has much appeal for the needs of education which are tremendous and they certainly will be even more so in the future.

The Joint Resolution permitting the graduated income tax, if passed in two Sessions and the people were to vote on it, we favor the position that they vote on the change to the Constitution which would permit this taxation to be used for the operation of the state government, which covers schools, hospitals and all the other needs of our citizens of this Commonwealth. On that ground, and that ground alone, I oppose the amendment so that we may debate the bill and vote on House Bill 263.

Mr. Speaker, I thank the gentleman very kindly for accepting a division.

On the question recurring,

Will the House agree to the amendment?

A division was called for, more than a majority having voted in the negative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. This Joint Resolution is one that is very familiar to most Members of the House. It has been in this chamber in many prior Sessions of the Legislature, in one form or another, but I believe this is the most simplified form. It merely has a limitation, as was said before, of six percent, and it gives the Legislature the privilege of graduations and exemptions.

As you know, the present restriction in the Constitution provides that all taxes shall be uniform upon the same class of persons, and this was construed by the courts to prohibit the imposition of a graduated income tax. It is readily apparent, I believe, to most Members of the House that we are gradually reaching the financial stage where a graduated income tax is not only necessary, but it is vital to the adequate financing of the needs of the people.

The suggestion in the form of an amendment by the gentleman from Bucks, Mr. Williams, which was just defeated, was a good one, and certainly I can envision the time, if this resolution is passed, when a good percentage of the income derived from a graduated income tax will be diverted to the needs of public education.

I think it is readily apparent to all of us that under the present restrictions and limitations in our Constitution with respect to the imposition of the income tax it is unfair. A simple illustration of that would be where a person earns \$5,000 in income and is a bachelor, as against a family man who earns \$5,000 and has a couple of children in college. Under the present Constitution we could not grant any exemption, and both of those gentlemen mentioned would have to pay the same rate of taxation. It is entirely unfair that that be so, and this is a step to give us—and it is only to give us in the future, if the people pass favorably upon this Resolution, on the ballot—an opportunity to spell out the exemptions and graduations, so that eventually we can have a tax tailored to fit the needs of all of the people and all of the institutions in this Commonwealth. I believe that in the past Members on both sides of the House recognized the just and equitable position of the sponsors of a resolution of this type.

Rather than prolong this debate, I will ask that both sides of the House vote in favor of the Resolution.

Mr. SHERMAN. Mr. Speaker, I ask permission to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Yes, Mr. Speaker, I shall.

Mr. SHERMAN. Do I understand, Mr. McCann, that if we had this graduated income tax we would have no need for the sales tax?

Mr. McCANN. Mr. Speaker, I do not think it would take a mathematician very long to figure that if you had a graduated income tax in the Constitution of the Commonwealth of Pennsylvania you certainly would not need any sales tax at all, providing you applied the income tax as the source of revenue, the main source of revenue for the general fund of the Commonwealth of Pennsylvania. There would be no question.



Mr. SHERMAN. Thank you.

Mr. SCHWARTZ. Mr. Speaker, some sage of the past said that anything that cannot be said in one sentence is not worth saying, and I agree with that. I think we need this Resolution because it is based upon ability to pay.

Mr. GOLDSTEIN. Will the gentleman from Philadelphia, Mr. McCormack, consent to be interrogated, Mr. Speaker?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McCormack, consent to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it the purpose of this Resolution, if passed and approved by the people, that this will eliminate the sales tax and not be an additional tax on the people of this Commonwealth?

Mr. McCORMACK. I am glad you asked that question, Mr. Speaker, because that is something I overlooked in my original remarks.

It is certainly my intention and my philosophy that unless we have a tax based upon ability to pay in this Commonwealth we will not have any fair tax program.

I voted for the sales tax, and the sales tax was passed I believe, because of the recognized fact that we could not get any other tax program passed, but certainly it is not my intention, and I am only speaking for myself, that the people be saddled with both this graduated income tax and a sales tax until the revenue needs becomes so great that both taxes are absolutely necessary.

Mr. GOLDSTEIN. Well, then, Mr. Speaker, the gentleman from Philadelphia does envision the time, according to his last statement, when both sales taxes and income taxes will or may be required in this Commonwealth, is that correct?

Mr. McCORMACK. Well, until we can determine the type of exemptions and graduations in a graduated income tax I think it would be futile on my part to suggest that in the future we would have both. I think that is not without the realm of contemplation.

Mr. GOLDSTEIN. Mr. Speaker, does not the gentleman from Philadelphia consider it better and sounder to consolidate our forces and see what the effect of the present sales taxes upon the economy will be, and also project into the future the possibility of making it a general sales tax instead of a selective sales tax?

Mr. McCORMACK. I think it is fair to say that we know what is going to happen to this Resolution when it passes the House, so we are talking about something that probably will be moot. At this stage of the proceedings we cannot say that from the revenue to be derived from the present sales tax such an income tax in the future would be unnecessary.

Mr. GOLDSTEIN. Mr. Speaker, do I imply from the gentleman's remarks that the Resolution is introduced as an empty gesture, or as a political deal in order to work out a situation in connection with the sales tax?

Mr. McCORMACK. Mr. Speaker, as far as I am concerned, as a Member of the Democratic party, it is a Resolution of intent, and it is a Resolution of desire on the part of the Democratic party to give the people in Pennsylvania a tax based upon ability to pay. I would not say it is futile, but if you want me to guess, I will say so.

Mr. GOLDSTEIN. Mr. Speaker, since the gentleman has

indicated this is a tax upon ability to pay, does he know how much one percent of income tax will bring in Pennsylvania as compared with one percent sales tax?

Mr. McCORMACK. One percent with what kind of exemptions?

Mr. GOLDSTEIN. Across the board, no exemptions. Is he familiar with that?

Mr. McCORMACK. I can only say that the adjusted gross income the Federal government reported by Pennsylvanians is approximately \$20 billions, and that the income tax paid at the Federal rate was \$2.4 billion. Not being an accountant, I could not at this time translate that at one percent. If the gentleman has the figure, I will be glad to accept it.

Mr. GOLDSTEIN. Well, I have figures, Mr. Speaker, from the 1956—

### POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Schwartz rise?

Mr. SCHWARTZ. I rise to a point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHWARTZ. I would like to inquire of the Chair whether this debate is limited at this time to the bill before us.

The SPEAKER pro tempore. The debate is limited to the bill before us. The gentlemen will confine their remarks to the bill.

Mr. GOLDSTEIN. I did not know I was talking about anything except the bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is in order.

Mr. GOLDSTEIN. May I pursue my interrogation for a moment, Mr. Speaker?

The SPEAKER pro tempore. For what reason does the gentleman from Philadelphia, Mr. Schwartz, rise?

Mr. SCHWARTZ. Again on a point of order, Mr. Speaker.

As I understand it, this bill is a bill which would permit a graduated income tax. The interrogation has gotten itself down to a point of a broad based income tax of one percent across the board, and I am just wondering if that is germane to the Resolution.

The SPEAKER pro tempore. The Chair rules that the gentlemen will confine themselves to the bill on the calendar.

Mr. GOLDSTEIN. I have and I shall.

Mr. Speaker, is the gentleman from Philadelphia familiar with what percentage of people who earn under \$10,000 have paid the income taxes to the Federal government according to, say, the year 1956, or any other year?

Mr. McCORMACK. No, sir, I am not.

Mr. GOLDSTEIN. Well, I do not want to take any unfair advantage, and that is all, Mr. McCormack. I merely ask consent to speak briefly on the Resolution.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. GOLDSTEIN. According to the figures which I have received, these are the income tax figures and returns for the year 1956 to the Federal government from the Commonwealth of Pennsylvania.

For persons who earn under \$10,000, they paid 62.6 percent of all the taxes received from this state. If you add those who were under \$15,000, they paid 71 percent of the taxes received from this state.

From a source which I believe to be unimpeachable, and also a source which is used often by the present administration, if we were to tax every person in the state of Pennsylvania who earns \$50,000 or more a year at the maximum six percent rate, the total revenue to the state on a biennial basis would be \$50 million.

The only reason I bring this point out is as follows: I am not an accountant, I am no mathematician, but anybody who analyzes these figures will come to the conclusion that a six percent graduated income tax cannot be effective unless practically everybody in the state, even to the minimum classification, will pay four percent or more.

This cannot be a graduated income tax in a true sense. We are debating this particular bill, and as the gentleman from Philadelphia, Mr. Schwartz, indicated we are faced only by a six percent graduated income tax, and I say to you, based upon the figures that I have before me, the conclusion that I draw is that this is not a tax for the benefit of the poor.

As I indicated in the debate four years ago on the classified income tax proposed by Governor Leader, the rich do not receive any harm from a graduated income tax because of this fact. If you are in the 90 percent Federal tax classification and you pay a \$10,000 tax to the state you will get credit for 90 percent of your state taxes. So if you are of the illusion that you are hurting the rich and helping the poor by this particular method, you are not so doing.

The history of any graduated income tax, whether it be state, Federal or otherwise, is that it generally lands in the lap of the average citizen. I believe in this particular case you will find, if this Resolution were adopted, that the persons who would be most injured would be those in the \$5,000 to \$10,000 classification, those individuals who constitute the middle class of this community, those people who are the entrepreneurs and who take risks. For that reason I do not think we should squeeze out the middle class because the rich will not be hurt, and the poor will not be benefited.

In addition I am opposed to this because we have no firm commitment that the sales tax will not be supplemented by an income tax.

I think the time now is to hesitate and look around and to economize, to examine with great care the Chesterman Report which has been ignored by three administrations, I believe. It was received in the Fine administration and received no support. It was also available to the Leader administration. I now suggest that the present administration give it scrutiny. Let us economize. Let us try to do the best we can.

In closing I want to point out to the gentlemen on the other side who might say I did not vote for a sales tax, I wish to say that I voted for some of the taxes that passed over on the other side, and I made a public commitment which I was willing to sustain, that I was in favor of a broad base sales tax including everything except take-home food at a proper level to sustain the economy.

For the reasons I have now enunciated I must vote against this Resolution.

Mr. FULMER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER pro tempore. Will the gentleman from

Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. FULMER. Mr. Speaker, in the comments made by the gentleman from Philadelphia, Mr. McCormack, he used the illustration of a bachelor earning \$5,000 and the family having a couple of children in school and thereby implied that he felt the bachelors should pay more taxes than the family man. I would like to ask the gentleman from Philadelphia if it is his intent that this tax should be a tax on the bachelors, both men and women, of the Commonwealth of Pennsylvania?

Mr. McCORMACK. Well, if I had a choice between the two, I certainly would say that they should be taxed to a greater extent than the man with a family—and I used to be one too!

Mr. FULMER. Mr. Speaker, the gentleman from Philadelphia mentioned "if he had a choice" my question did give him a choice and I would like to have a forthright answer rather than a hedging one.

Mr. McCORMACK. Well, I do not know how many bachelors there are in my district, Mr. Speaker, but I would say that I would prefer to tax them than the family man.

Mr. SCHWARTZ. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. SCHWARTZ. Mr. Speaker, I would like to ask the gentleman who is Mr. Average-Wage-Earner in the Commonwealth today? Does he earn over \$5,000 or under \$5,000?

Mr. GOLDSTEIN. Well, I am not familiar with the subject-matter, but if you want me to give you an example from recollection, I am informed that the average teamster in the state of Pennsylvania earns \$8,000.

Mr. SCHWARTZ. Mr. Speaker, let us limit the answer to the question I asked the gentleman. I think it is a rather simple one.

Mr. GOLDSTEIN. I will give the figures according to the 1956 tax, maybe that will enlighten you.

Mr. SCHWARTZ. What is the take-home pay of Mr. Average Citizen of the Commonwealth of Pennsylvania? Is it under or over \$5,000?

Mr. GOLDSTEIN. I would say it is—I am not giving you the Income Tax figures—I would say that the average person in the state of Pennsylvania makes a salary, according to these figures, of approximately \$4,000 a year.

Mr. SCHWARTZ. So we have established the fact that the prime wage earner and the majority of the wage earners in the Commonwealth of Pennsylvania would be benefitted, would he not, by a graduated income tax, and that the average is not over \$5,000, or \$10,000 or \$15,000 as you were referring to previously in your interrogation?

Mr. GOLDSTEIN. Let me enlighten you and give you the figures. The largest group of taxpayers in the state of Pennsylvania, according to the 1956 returns, are those earning \$5,000 to \$10,000. That is the largest group.

Mr. SCHWARTZ. That is not the question I asked you.

Mr. GOLDSTEIN. Well, that is the answer I am giving you.



Mr. SCHWARTZ. Mr. Speaker, under those circumstances I think it very foolish and needless of me to continue such an interrogation.

Mr. AUKER. Mr. Speaker, I am not going to prolong it very long. I am just as hungry as everyone else.

I am going to vote for the referendum because I believe in voting for any referendum wherein the people of this republican not democratic form of government, but this republican representative form of government of ours, have a right to express their opinions.

I think we are all doing a lot of wishful thinking. We are all talking about exemptions. The bill does not provide for any exemptions. It could be \$2,000, it could be \$1,500, it could be \$4,000, whatever the present Legislature at this time, if the bill should happen to pass, would inculcate into the law to carry out the provisions of the constitutional amendment.

We are all doing a lot of wishful thinking because you know and I know that it is just not human nature for anyone to vote to put a tax upon themselves, except we poor fellows who sit down here in the Legislature, and we vote to put taxes on ourselves as well as upon the people. It certainly would be a Utopia for a carefree legislative body in this great country of ours, if we could just refer every tax problem to the people and say, you vote the taxes you want, and you would not have any tax and you know that as well as I do.

So, I am going to vote for the referendum. It will be defeated if it ever gets to the people the same as they defeated it before, because the people simply will not vote a tax upon themselves. Certainly when they see that figure 6 percent in here, that's just going to scare the very devil out of them, and they will not vote for that, that's for sure.

Mr. LIPPINCOTT, Mr. Speaker, I would like to interrogate the Majority Leader, If I may.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I will.

Mr. LIPPINCOTT. Mr. Speaker, is it not correct that last November the people of this Commonwealth voted to amend this particular section of the Constitution by including forest preserves in it?

Mr. McCANN. Mr. Speaker, I am, of course, not well aware of the section. I think I can say to you, yes, the people of Pennsylvania did vote in favor of an amendment that was on the ballot which pertained to that particular item.

Mr. LIPPINCOTT. Is it the purpose of this amendment then, Mr. Speaker, to eliminate forest preserves since they are not included in the bill as drafted?

Mr. McCANN. I would like to say to you that we have never discussed that particular section but let us say very clearly, the section of the Constitution that we were amending has to do with the section dealing with not permitting a graduated income tax.

Mr. LIPPINCOTT. Well, Mr. Speaker, it seems to me that this bill is drawn in a very defective way. The bill as it appears before us eliminates the amendment that we voted on last fall. It should clearly be in the bill. I think it was voted on by the people. I do not know whether this is just a gesture on the part of the party on your side of the aisle to get up before the people or not. I say the

bill should be properly drawn if it is to mean anything. It is defective as it is now.

Mr. McCANN. Mr. Speaker, this is no gesture. And, I do not believe the bill is defective, in the way it is drawn and presented here today. I, of course, am not an attorney, but I would like to say to you that attorneys have checked House Bill No. 263, Joint Resolution to the Constitution, and they find it to be correct. I hope that I can answer you in the affirmative and say those who advised me say, yes, it is correct.

Mr. LIPPINCOTT. Mr. Speaker, I would ask the gentleman to take the bill and show me where the words "forest preserves" appear in it, as was voted on by the people last fall?

Mr. McCANN. Mr. Speaker, I believe the Attorney General's office informed me that each amendment to the Constitution stands on its own. Therefore, the one dealing with forestry that was adopted by the people last year stood on its own, and this has no bearing on that. I do not have that in writing here. It was in a conference that they informed me of that, and I accept the word of those people who know in this field that this amendment stands on its own and you are not doing anything else to any other part of the Constitution, such as you are implying here, according to that office.

Mr. LIPPINCOTT. Well then if this amendment stands on its own, Mr. Speaker, it does mean, does it not, that the forest preserve amendment which was passed upon by people last fall would be deleted?

Mr. McCANN. No, Mr. Speaker.

Mr. McCORMACK. Would the gentlemen yield?

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia rise?

Mr. McCORMACK. To ask the Majority Leader if he would yield for the purpose of trying to clarify the question that has been raised.

The SPEAKER pro tempore. Mr. Lippincott has the Floor.

Mr. LIPPINCOTT. I will be glad to yield to the gentleman from Philadelphia.

Mr. McCORMACK: I did not want the gentleman from Delaware to yield, I wanted the Majority Leader to yield, who was answering the questions.

Mr. LIPPINCOTT. I will yield to the Majority Leader who may yield to you.

The SPEAKER pro tempore. The gentleman from Philadelphia will proceed.

Mr. McCORMACK. Then, Mr. Speaker, I want to say, I do not know whether this will clarify it or not, but it seems to me that when the people voted favorably on a constitutional amendment at the last election with respect to and I have the wording here—"the General Assembly may by general law set up standards and qualifications for private forest preserves and make special provisions for the taxation thereof." I want to say the mere fact that is left off this resolution does not mean that is deleted from that article and section of the Constitution. That still stands even though the amendment that was passed last year is not spelled out in this resolution. It is still valid, and, of course, the only way it could be changed would be by specific reference to it on the ballot.

Mr. LIPPINCOTT. Well, Mr. Speaker, if that—

Mr. McCORMACK. If the gentleman has authority to the contrary I shall be glad to listen to it.



Mr. LIPPINCOTT. As I understand concerning amendments to the Constitution, each time the entire section is written out in full when it is voted upon by the people. Therefore, the result of this will be to put an amendment in that does not have the forest preserve clause in it.

Mr. McCORMACK. Do you have any authority for that?

Mr. LIPPINCOTT. I think if you will refer to the Pennsylvania Manual on page 60, you will see an amendment adopted there included the entire section as it then became law constitutionally.

Of course, to carry your idea through you would have two Sections 1 to this article, one having forest preserves in it and one having something else, and, of course, that is not correct.

Mr. McCORMACK. Of course, Mr. Speaker, the gentleman being a lawyer recognizes that is a non sequitur because of the fact that there is one Constitutional amendment that spells out the whole section, it follows that because this resolution does not spell out the whole section it is therefore invalid. That does not follow at all. This form is perfectly valid. If this is passed by two Sessions of the Legislature and put on the ballot and the people pass it, the amendment with respect to the forest lands will still be effective.

Mr. LIPPINCOTT. Mr. Speaker, I call to the attention of the gentleman the fact that the particular bill we are considering states that Section 1, Article 9, of the Constitution be amended to read, and then it goes on and lists the section as it will thereafter be amended to read if approved by the people, leaving out the last amendment from last year.

Mr. BOWMAN. Mr. Speaker, the word "authority" has been thrown around in this debate. Mr. McCormack, the gentleman from Philadelphia takes exception to Mr. Lippincott's statement. I, however, am compelled to agree completely with the gentleman, Mr. Lippincott.

My long experience in the Legislative Reference Bureau, my long experience in bill drafting and constitutional law, compels me to agree with Mr. Lippincott. The entire section of the particular Article in question was voted upon by the people as an amendment to the Constitution. We have before us today an amendment to the entire section of this particular Article. It is, therefore, my personal opinion, backed by my experience, that the results which Mr. Lippincott suggests would obtain if this were passed in its present form.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. HELM, DAVIS and HOCKER.

The roll was verified and was as follows:

## YEAS—114

Anderson,	Frascella,	Markley,	Scarcelli,
Arlene,	Galley,	Maxwell,	Schaaf,
Auker,	Gallagher,	Meholchick,	Schuster,
Balthaser,	Garlock,	Mihm,	Schwartz,
Boles,	Gelfand,	Mills,	Sherman,
Bonner,	Hamilton,	Monroe,	Shupnik,
Branca,	Heavey,	Muldowney,	Silverman,
Breth,	Henzel,	Mullen,	Snider,
Burns,	Irvis,	Munley,	Stank,
Capano,	Jenkins,	Murphy, A. J., Jr.	Stewart,
Capitolo,	Jim,	Musto,	Stimmel,
Cianfrani,	Jones, F. R.,	Needham,	Trusio,
Cioffi,	Jones, T. H. W.,	Nelson,	Varallo,

Clarke	Kamyk,	O'Donnell, J. A.,	Varner,
Comer,	Kee,	O'Donnell, J. P.	Verona,
Crossin,	Kornick,	O'Neill,	Walsh,
Dennis,	Kovolenko,	Parlante,	Wargo,
Devlin,	Lamb,	Pashley,	Welsh,
Donahue,	Lee, K. B.,	Perry, H. H.,	Wheeler,
Dougherty,	Leonard,	Perry, P. E.,	Whittaker,
Edwards,	Limper,	Polaski,	Williams, A. D., Jr.,
Elberg,	Lopresti,	Polen,	Williams, E. S.,
Farabaugh,	Luigard,	Reibman,	Willaredt,
Flo,	Lutty,	Reidenbach,	Worley,
Fineman,	McCann,	Renwick,	Yatron,
Floyd,	McCormack,	Riley,	Yetter,
Flynn,	McDonald,	Rovansek,	Andrews,
Foerster,	McLaughlin,	Rudisill,	Speaker
Frank,	Machmer,	Sakulsky,	

## NAYS—69

Agnew,	Goldstein	Korns,	Ogilvie,
Ashton,	Goodrich,	Kubitsky,	Price,
Barton,	Gramlich,	Lee, A. M.,	Pursley,
Bower,	Guthrie,	Light,	Rigby,
Bowman,	Helm,	Lippincott,	Royer,
Buchanan,	Hocker,	McCandless,	Seltzer,
Davis,	Holliday,	McInroy,	Stevens,
Dengler,	Horst,	Magee,	Stoner,
Dennison,	Isaacs,	Mahan,	Stroup,
Donaldson,	Johnson, A. W.,	Merry,	Tompkins,
Down,	Johnson, R.,	Miller, B. Z.,	Ujobai,
Eshback,	Jump,	Miller, H. G.,	Wall,
Eshleman,	Kelser,	Murphy, P. J.,	Weidner,
Ewing,	Kernaghan,	Murray, H. P.,	Wescott,
Fetterolf,	Kessler,	Murray, P. G.,	Willard,
Fox,	Knecht,	O'Dell,	Wynd,
Fullmer,	Kooker,	Odorisio,	Zimmerman,
George,			

## NOT VOTING—25

Bell,	Gibb,	Naugle,	Strausser,
Blair,	Heffner,	Petrosky,	Sullivan,
Boris,	Holt,	Prendergast,	Taylor,
Brenninger,	McKeever,	Snare,	Thompson,
Brown,	Moran,	Steckel,	Witt,
Cooper,	Murray, J. J.,	Stone,	Wood,
Curwood,			

A majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, with respect to the bill that just passed, the alleged error in the bill was discovered on this side during the debate on the bill.

I am sure if we had discovered it sooner we would have called it to Mr. McCann's attention. While Mr. Lippincott was pointing out the error, I was on the telephone talking to the Legislative Reference Bureau. They found the bill that was voted on by the people in November and they say, yes, in this particular amendment, we will have to put in those magic words that the General Assembly can by law exempt forest preserves from taxation.

So if the bill should happen to pass in the Senate, it will have to be amended, otherwise the amendment with respect to forest preserves voted on by the people last fall will be lost.

## BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all the other bills on third reading be passed over in order.

The SPEAKER. Is there objection? The Chair hears none and the bills will be passed over.



The SPEAKER pro tempore. The Chair will now return the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## BILLS ON CONCURRENCE IN SENATE AMENDMENTS

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1078 on page 32 of today's calendar, bills on concurrence in Senate amendments.

## SENATE MESSAGES

### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

#### HOUSE BILL No. 1078.

An Act amending the act of May 1, 1933 (P. L. 216), entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registration subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" providing for biennial registration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 11, by striking out after the word "registration" the word "such" and inserting in lieu thereof the word "a"; line 11, by striking out after the word "fee" the following: "as may be fixed by the Department of Public Instruction" and inserting in lieu thereof the words and figures "of twenty dollars (\$20.00)"; and page 6, by inserting after line 9 the following: "Section 3. This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1080.

An Act amending the act of May 23, 1945 (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws," authorizing registration of certain qualified persons without examination and providing for biennial registration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 2, line 3, by inserting after the word "laws" the words "authorizing registration of certain qualified persons without examination and"; Section 1, page 2, line 1, by striking out after the figure "1" the words "Subsections (g) and (h) of section 4 the first paragraph of section 8 and sections 9 and 10" and inserting in lieu thereof the words "Clause (1) of subsection (B) of Section 4"; line 4, by striking out after the word "law" the word "are" and inserting in lieu thereof the word "is"; page 2, line 5, by inserting the following: Section 4. General Powers of Board. The board shall have power \* \* \*.

(b) Licensing professional engineers to provide for and to regulate the licensing and to license to engage in the practice of engineering any person of good character and repute who is a citizen of the United States or has declared his intention of becoming a citizen thereof at least twenty-five years of age and who speaks and writes the English language if such person either

(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state in which the requirements and qualifications to engage in the practice of engineering [are at least equal to the standards of this Commonwealth] were at the time of the initial issuance of such license or certificate of registration at least equal to the then existing standards of this Commonwealth. Provided, however, that such other state or territory shall similarly license or register professional engineers licensed and registered in this Commonwealth a person may be licensed under this subdivision without examination. \* \* \*

Section 2. Subsections (g) and (h) of section 4 the first paragraph of section 8 and sections 9 and 10 of the act are amended to read

Amend Section 2, page 6, line 1, by removing the brackets before and after the word "annual"; line 2, at the beginning of the line by striking out the word "biennial"; line 3, by inserting after the word "law" the following: "all persons now qualified and engaged in the practice of engineering and surveying or who shall hereafter be licensed by the board shall register biennially with the board and pay for each biennial registration a fee of twenty dollars (\$20.00) All".

Page 7, line 4, by inserting as follows:

"Section 3. This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1081.

An Act amending the act of July 12, 1919 (P. L. 933) entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the powers and duties of said board of examiners and providing penalties for the violation of this act" providing for biennial renewal of certificates and changing fees in accordance therewith.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.



The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by inserting after the word "payment" the following: "to the Commonwealth"; line 13, by striking out after the word "fee" the following: "in such amount as may be fixed by the board not however in excess"; page 6, by inserting after line 12 the following: "Section 2, This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1082.

An Act amending the act of March 2, 1956 (P. L. 1206) entitled "An act relating to and defining the practice of chiropody conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction requiring licensure providing for the granting cancellation suspension and revocation of licenses preserving the rights of existing licenses providing for the promulgation of rules and regulations transfer of jurisdiction and records to the board regulation of schools of chiropody reciprocity and providing penalties and remedies" providing for biennial renewal of registration and changing fees in accordance therewith.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by striking out after the word "of" the words and figures "ten dollars (\$10)" and inserting in lieu thereof the following: "twenty dollars (\$20)"; and by inserting after line 14 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1083.

An Act amending the act of March 19, 1909 (P. L. 46) entitled as amended "An act to regulate the practice of osteopathy and surgery in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopathic physicians and surgeons in this State and to provide penalties for the violation of this act" providing for biennial registration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 3, line 6, by striking out after the word "of" the word "ten" and inserting in lieu thereof the word "twenty"; and by striking out after the word "dollars" the following: "or such other sum as shall be fixed by the Department of Public Instruction under authority of law"; page 5, by inserting after line 7 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" providing for biennial registration and changing fees in accordance therewith.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 3, line 1, by striking out after the word "of" the word "ten" and inserting in lieu thereof the word "twenty"; page 3 by inserting after line 6 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1099.

An Act amending the act of May 22, 1951 (P. L. 317) entitled "An act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws" providing for biennial registration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:



Amend Section 1, page 2, line 1, by striking out after the word "of" the following words and figures: "two dollars (\$2)" and inserting in lieu thereof the following words and figures: "four dollars (\$4)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1512.

An Act amending the act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" changing from annual to biennial registration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 13 by striking out after the word "of" the word "such" and inserting in lieu thereof the word "a"; and by striking out after the word "fee" the following: "as shall be fixed according to law" and inserting in lieu thereof the words and figures "of twenty dollars (\$20)"; page 3 by inserting after line 16 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1513.

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" changing from annual to biennial registration and increasing certain fees.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 20, by striking out after the word "of" the words and figures "ten dollars (\$10.00) and inserting in lieu thereof the words and figures twenty dollars (\$20.00)"; page 3, line 2, by striking out after the word "of" the words and figures "five dollars (\$5.00)"

and inserting in lieu thereof the words and figures "ten dollars (\$10.00)"; page 4, by inserting after line 14 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1514.

An Act amending the act of April 27, 1945 (P. L. 321) entitled "An act relating to the practice of veterinary medicine defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Board Veterinary Medical Examiners and the Department of Public Instruction providing penalties and repealing existing laws" changing from annual to biennial registration.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 9, by striking out after the word "each" the bracket; line 9, by striking out after the word "such" the word "annual"; line 9, by striking out after the word "registration" the following: "such fee as may be fixed by the Department of Public Instruction" and inserting in lieu thereof the following: "a fee of twenty dollars (\$20.00)"; page 2, by inserting after line 11, the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1515.

An Act amending the act of June 3, 1911 (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses of said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" changing from annual to biennial registration and increasing the registration fee.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 3, line 8, by striking out after the word "of" the words "two dollars" and inserting in lieu thereof the words "twenty dollars" and by striking out on lines 8, 9 and 10 the following: "or such other sum as may be fixed by the Department of Public Instruction under authority of law"; and page 3 by inserting after line 20 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1516.

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" changing from annual to biennial registration.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 9, by striking out at the beginning of the line the following: "such fee as may be fixed by the department" and inserting in lieu thereof the following: "a fee of twenty dollars (\$20.00)"; and page 2, by inserting after line 11 the following: "Section 2 This act shall take effect in thirty days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1881.

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "An act relating to consumer credit requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" further regulating the granting of licenses and providing for appeals.

With the information that the Senate had passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 5, by striking out after the word "the" the following: "Court of Common Pleas of Dauphin County" and inserting in lieu thereof the following: "Court of Common Pleas of the county wherein the applicant resides"; line 9, by striking out after the word "be" the words "a rejection" and inserting in lieu thereof the words "an approval".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1517 FROM GOVERNOR

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, July 20, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1517, Printer's No. 928, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### REVENUE BILLS ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 659 on page 35 of today's calendar, revenue bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 659, entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared used sold transported or delivered within the Commonwealth and by others \* \* \* conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks and providing penalties.

On the question,

Shall the bill pass finally?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that the bill be re-committed to the Committee on Ways and Means.



The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 769, entitled:

An Act to provide revenue by imposing a state excise tax upon sales or gifts of tobacco products other than cigarettes requiring persons engaged in the sale of tobacco products to secure licenses prescribing the method and manner of collecting such tax making it unlawful to sell or possess tobacco products upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and other persons making an appropriation and imposing penalties.

On the question,

Shall the bill pass finally?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that the bill be re-committed to the Committee on Ways and Means.

The motion was agreed to.

#### SENATE MESSAGE

##### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 10, 1959.

Resolved (if the Senate concur), that House Bill No. 1721, Printer's No. 875, entitled "An act amending the act of April 29, 1959 (Act No. 32) entitled 'An act consolidating and revising the Vehicle Code, the Tractor Code, the

Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors' extending the use of manufacturer's, jobber's and dealer's registration plates," be recalled from the Governor for the purpose of amendment.

#### COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 131-A, Tuesday, August 11 at 11:15 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, August 11 at 9:15 a.m.

LAW and ORDER, Mr. Mills, Chairman, Room 522, Tuesday, August 11 at 11:30 a.m.

MINES and MINERAL INDUSTRIES, Mr. Rovanseck, Chairman, Room 131-E, Tuesday, August 11 at 10:30 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, Chairman, Room 131-B, Tuesday, August 11 at 11:00 a.m.

STATE GOVERNMENT, Mr. Schwartz, Chairman, Room 522, Tuesday, August 11 at 11:00 a.m.

TOWNSHIPS, Mr. Kornick, Chairman, Room 131-A, Tuesday, August 11 at 11:00 a.m.

FISHERIES, Mr. Curwood, Chairman, New House Caucus Room, Tuesday, August 18, 1959 at 9:00 a.m. Committee on Fisheries to investigate the reason for the decline in the sale of fishing licenses. Public Hearing. Resolution No. 95.

#### ADJOURNMENT

Mr. GOODRICH. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 11, 1959, at 11:00 a.m., EST.

The motion was agreed to, and (at 7:29 p.m., EST) the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, AUGUST 11, 1959.

No. 77.

## SENATE

TUESDAY, AUGUST 11, 1959.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. RAYMOND A. MAY, JR., Pastor of St. James Lutheran Church, Huntingdon, offered the following prayer:

Let us pray.

God of our fathers, open our hearts and minds so that we may willingly accept direction from Thee. Help us to rise above prejudice and selfishness in order that service may have its rightful place in our lives.

We realize our limitations and implore Thy mercy. Enable us this day to speak and act with courage and discernment, through Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. FLEMING and Mr. WADE, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

August 10, 1959

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Vincent E. Williams, Esq., 116 North Main Street, Greensburg, Westmoreland County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

August 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry T. Watts, Main Street, Millville, Columbia County, for appointment as Justice of the Peace in and for the Borough of Millville, Columbia County, until the first Monday of January 1960, vice Howard T. Morgan, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

August 11, 1959.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ruth Miller Steese, Mifflinburg, Union County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE PENNSYLVANIA LABOR RELATIONS BOARD

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence P. Bowers, 131 North Fifth Street, Reading, Berks County, for appointment as a member of the Pennsylvania Labor Relations Board, until June 2, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank A. Thornton, 103 East Arch Street, Shamokin, Northumberland County, for reappointment as a member of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being intro-



duced, presented for concurrence bills of the House, as follows:

House Bill No. 20, entitled:

An Act providing for the establishment of pension funds or pension annuities for firemen in certain boroughs, towns and townships, and the regulation and maintenance thereof.

Which was committed to the Committee on Local Government.

House Bill No. 168, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the use of vulgar or profane language in public places.

Which was committed to the Committee on Law and Order.

House Bill No. 725, entitled:

An Act amending the "Pawnbrokers License Act," approved April 6, 1937 (P. L. 200), granting to police commissioners in cities of the first class, or their designated representatives, certain investigative powers with respect to pawnbrokers.

Which was committed to the Committee on Banking.

House Bill No. 1379, entitled:

An Act providing for the assignment of counsel to indigent persons accused of crime.

Which was committed to the Committee on Judiciary General.

House Bill No. 1430, entitled:

An Act repealing Section 1033, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," and its amendments, relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

Which was committed to the Committee on Highways.

House Bill No. 1457, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198), increasing the amount of bond and clarifying a provision relating to overburden.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 1805, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the spraying and control of insects on public or private property.

Which was committed to the Committee on Local Government.

House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106), entitled "An act requiring the county commissioners to provide, at the expense of the county, telephone service, typewriters, \* \* \* for the use of the county superintendent of schools," providing for the payment of the expenses of the county superintendent of schools.

Which was committed to the Committee on Education.

House Bill No. 2006, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting retail licensees to furnish free cheese.

Which was committed to the Committee on Law and Order.

House Bill No. 2140, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), requiring that food which has been frozen and permitted to thaw out be marked to give notice thereof to the purchaser.

Which was committed to the Committee on Public Health and Welfare.

#### SENATE BILL No. 387 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 387, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing that no person holding the office of justice of the peace shall act as secretary or secretary-treasurer of the board of township supervisors.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1078

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1078, entitled:

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216), providing for biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1078

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1080

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1080, entitled:

An Act amending the "Professional Engineers Registration Law," approved May 23, 1945 (P. L. 913), providing for biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1080

Mr. FLEMING. Mr. President, I move that the Senate

insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1081

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1081, entitled:

An Act amending the "Architects Registration Law," approved July 12, 1919 (P. L. 933), providing for biennial renewal of certificates and changing fees in accordance therewith.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1081

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1082

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1082, entitled:

An Act amending the "Chiropody Act of 1956" (P. L. 1206), providing for biennial renewal of registration and changing fees in accordance therewith.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1082

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS BILL No. 1083

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1083, entitled:

An Act amending the "Osteopathic Practice Law," approved March 19, 1909 (P. L. 46) providing for biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1083

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1084

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1084, entitled:

An act amending the "Optometrists' Licensure Law," approved March 30, 1917, (P. L. 21), providing for biennial registration and changing fees in accordance therewith.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1084

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1099

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1099, entitled:

An Act amending "The Professional Nursing Law," approved May 22, 1951 (P. L. 317), providing for biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1099

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1512

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1512, entitled:

An act amending the "Pharmaceutical Practice Law" approved May 17, 1917 (P. L. 208), changing from annual to biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1512

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.



Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1513

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1513, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), changing from annual to biennial registration, and increasing certain fees.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1513

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1514

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1514, entitled:

An Act amending "The Veterinary Law," approved April 27, 1945 (P. L. 321), changing from annual to biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1514

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1515

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1515, entitled:

An Act amending the "Medical Practice Act," approved June 3, 1911 (P. L. 639), changing from annual to biennial registration and increasing the registration fee.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1515

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1516

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1516, entitled:

An Act amending the "Chiropractic Registration Act of 1951," approved August 10, 1951 (P. L. 1182), changing from annual to biennial registration.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1516

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1881

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1881, entitled:

An Act amending the "Consumer Discount Company Act," approved April 8, 1937 (P. L. 262), further regulating the granting of licenses and providing for appeals.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1881

Mr. FLEMING. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### REPORTS FROM COMMITTEE

Mr. MAHADY, from the Committee on Elections, reported as committed Senate Bill No. 283, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," providing for special elections in case of tie votes in certain county-wide elections.

He also, from the Committee on Elections reported as committed, House Bill No. 941 entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

Mr. CHAPMAN, from the Committee on Appropriations re-reported as committed, Senate Bill No. 243, entitled:

An Act amending the act of December 15, 1955 (P. L. 365), entitled "An act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation, recreation, dam, and flood control; authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land," earmarking a certain portion of the fund for the establish-

ment, development and construction of a State park and dam in Indiana County.

He also, from the Committee on Appropriations re-reported as committed, Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing the compensation of the county board of school directors for attendance at meetings.

He also, from the Committee on Appropriations re-reported as committed, House Bill No. 1447, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), imposing additional powers and duties on the Department of Health and establishing a fee.

## BILLS INTRODUCED AND REFERRED

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission, to sell and convey real property situate in the Township of East Saint Clair, Bedford County.

Which was committed to the Committee on State Government.

Messrs. VAN SANT, DONOLOW and CAMIEL read in place and presented to the Chair Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929), entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance;....." authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies

Which was committed to the Committee on Insurance.

Messrs. CHAPMAN and SARRAF read in place and presented to the Chair Senate Bill No. 1067, entitled:

An Act providing for the confidential character of medical studies conducted by in-hospital staff committees and committees of State and county medical societies, and making it unlawful to disclose data obtained by or contained in such medical studies

Which was committed to the Committee on Public Health and Welfare.

Messrs. CAMIEL and WEINER read in place and presented to the Chair Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the keeping of liquor packages without official seals; and prohibiting certain actions in regard to official seals.

Which was committed to the Committee on Law and Order.

Messrs. LANE, PECHAN, CAMIEL and SARRAF read in place and presented to the Chair Senate Bill No. 1069, entitled:

An Act relating to the practice of pharmacy and the regulations and supervision of the profession of pharmacy; licensing of pharmacists, apprentice pharmacists, and for

the suspension and revocation of such licenses, subject to appeal, and for their reinstatement; providing for the biennial renewal of such licenses; providing for the issuance, regulation, supervision, suspension and revocation of pharmacy permits, pharmaceutical distributor, wholesaler, and manufacturing permits; regulating pharmacy in general; prescribing penalties and repealing certain laws.

Which was committed to the Committee on Public Health and Welfare.

Messrs. McCREESH and WEINER read in place and presented to the Chair Senate Bill No. 1070, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," providing for further regulation on the powers of foreign fiduciaries.

Which was committed to the Committee on Judiciary General.

## PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I am about to introduce three bills that have been requested by the Secretary of Banking and which he feels will be helpful to the banking institutions of our Commonwealth.

## BILLS INTRODUCED AND REFERRED

Mr. WEINER (By request) read in his place and presented to the Chair Senate Bill No. 1071, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," providing for the continuation of branch offices established by savings banks which merge, consolidate or convert into associations; regulating the merger, consolidation, conversion and reorganization of building and loan associations, Federal savings and loan associations, and savings banks, and in relation thereto; prescribing the rights, liabilities, powers and duties of such associations and of shareholders, creditors and persons dealing with them.

Which was committed to the Committee on Banking.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1072, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," providing for the continuation of branch offices established by building and loan associations and Federal savings and loan associations which merge, consolidate, or convert into institutions; and regulating the merger, consolidation and conversion of institutions, national banking associations, building and loan associations and Federal savings and loan associations and the reorganization of banks, bank and trust companies, and trust companies, and in relation thereto, prescribing the rights, liabilities, powers and duties of such institutions and of shareholders, creditors, depositors, and persons dealing with them.

Which was committed to the Committee on Banking.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1073, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," regulating the merger, consolidation and conversion of associations and Federal savings and loan associations and in relation thereto prescribing additional standards to be used by the Department.

Which was committed to the Committee on Banking.



MRS. LOUISE JOHN AND MRS GRACE SLOAN  
PRESENTED TO SENATE

Mr. WEINER. Mr. President and Members of the Senate, for the past number of weeks, since we have been in Session, we have been particularly interested by the gentlemen sitting on the other side speaking about all the fine looking ladies which they have in their Party. Each week, we have been treated to different groups, and various groups, which have arisen here to show us the kind of people who are hard at work in the different counties.

We may not have them in numbers here this morning, but, I think, in quality, they certainly would match any of the ladies of the Republican Party or any other party.

Therefore, Mr. President, it is my pleasure to introduce Mrs. Louise John, Vice Chairman of the Democratic State Committee, and Mrs. Grace Sloan, President of the Federation of Democratic Women's Clubs. I leave it up to the Senate to make its own judgment.

The PRESIDENT. Would the lovely ladies please rise? You are, indeed, very welcome.

SENATE RESOLUTION

EXTENDING CONGRATULATIONS OF THE SENATE  
TO THE VALLEY BABE RUTH BASEBALL  
LEAGUE ALL-STARS

Messrs. VAN SANT and FLACK offered the following resolution (Serial No. 50), which was read, considered and agreed to:

In the Senate, August 11, 1959.

The citizens of the Hazleton area are certainly proud today and they have the right to be so because on Saturday afternoon, August 8, the Valley Babe Ruth Baseball League All-Stars crushed the Crawford County West All-Stars 12-1 to win the Pennsylvania Babe Ruth Championship.

The game was played before approximately 3,000 fans at the beautiful Westinghouse field in Sharon. Until the fourth inning the teams were locked in a scoreless duel but the superior play of the Valley team caused the roof to cave in on the Crawford team at that point. Although the Crawford team displayed great spirit and ability, they were unable to overcome the six runs that the boys from the region scored in the fourth.

Much of the credit for this hard earned victory must go to the Valley pitcher, Tom Sharkey of West Hazleton, since he only allowed three hits while striking out 12 batters. Of course, he couldn't have done such a masterful job without the help of all his teammates, so we would have to call this a great team victory.

No team could get to the State final without the support and encouragement of the manager and his staff. Joseph (Bully) Christina is the manager of this great team and the duties of coaching fall into the capable hands of Carl Schneider, Sr. If it wasn't for these men, as well as Eddie Waitkus, the Valley Babe Ruth League President, the team would never have achieved the honors which are now being showered upon it.

This Valley team which represents boys of all walks of life is certainly a credit to the community and to the Commonwealth of Pennsylvania. Let us all hope that they will be just as successful in their march to the national championship which starts today in Washington, D. C. These boys have displayed the type of sportsmanship and clean play that makes Pennsylvania such a great State; therefore be it

Resolved, That the Senate congratulate the Valley Babe Ruth Baseball League All-Stars on their most inspiring victory in the State finals; and be it further

Resolved, That the Senate wish these boys and all those who have helped them along the way, the best of

luck in their forthcoming national play-offs; and be it further

Resolved, That a copy of this resolution be forwarded to Eddie Waitkus, the League President, to Manager Joseph Christina and to the coach, Carl Schneider, Sr.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1115, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.49 acres more or less of land situate in Abington Township, Lackawanna County.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO HOUSE BILL No. 1115,  
RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1115, recalled from the Governor.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Proper,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 170, Printers' No. 1053, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 323, Printer's No. 1304; and  
Senate Bill No. 543, Printer's No. 579.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 623, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I think it would be amiss not to point out that—although the purpose of it is a laudable one and something which we should try to do something about—my misgivings about this piece of legislation are due to the fact that the language is a little bit vague. I do not know, having a small bit of experience in the District Attorney's Office, how you would accomplish what this bill is setting out to do. One of the other things that troubles me about it is that you are calling the offense in this bill a misdemeanor. The difference between a misdemeanor and a felony is whatever the Legislature says it is. However, for a misdemeanor, you are setting up a very high fine, in the amount of \$500, and you are imposing a six month prison sentence or both, as the court may decide.

I know that the temper of the Senate and the House is to pass this legislation. However, I would say that this bill should receive a very close scrutiny before it is signed into law. I feel there is a lot of vagueness about it.

Although all of us have experienced the situation where people have annoyed us on the telephone and have done things which are annoying, you are going to have a problem in enforcing this. One of the problems of evidence, which I think you cannot overlook, is how do you decide who is on the other end of the line? The mere identification of the person by himself is not enough. A small example of this would be if I were to identify myself as Mr. X or Mr. Y, and call somebody and be annoying to them. How do you carry out the provisions? The language here where you say, "... whoever telephones another person repeatedly for the purpose of annoying molesting or harassing such other person ..." is also, I think, subject to some vagueness. What may be annoying or harassing to me, may not be to someone else. I, therefore, think you will have that type of a problem with it.

Although it may act as a deterrent in the sense that we do have this statement of public policy on the books, it might be in that area that we might be able to do some good. However, as a matter of legislation and looking at it strictly from that point of view, I think it is just too vague and not able to be enforced.

The PRESIDENT. The bill has passed Third Reading.

Mr. BERGER. Mr. President, I have some reservations

about this bill, myself; however, principally, because of some of the language in it. I do not know how you are going to molest a person over the telephone. I think the purpose, however, is laudable and, of course, the question will be a jury question as to whether or not the actual annoyance or harassment has been accomplished. Consequently, I do not see too much danger in the areas which have been mentioned. Nevertheless, the purpose of the bill is laudable and I would like to vote for it.

However, Mr. President, if the Senator requests that it go over in order on Final Passage, I will have no objection to that.

The PRESIDENT. I was about to ask the Senator whether he was requesting that the bill go over in order, now that it is on Final Passage.

Mr. WEINER. No, sir. That is not my request. I was just pointing out my observation. It was merely my opinion of what I think of the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Barr,	Harney,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarraf,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silver,	

#### NAYS—3

Hays,	Mahady,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 915, Printer's No. 1248;  
Senate Bill No. 971, Printer's No. 1140; and  
Senate Bill No. 972, Printer's No. 1141.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1002, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township, Lehigh County.

And said bill having been read at length the third time and agreed to,



On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1034, Printer's No. 1221;  
House Bill No. 1468, Printer's No. 922; and  
House Bill No. 1507, Printer's No. 588.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2220, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL SIGNED

The PRESIDENT (Lieutenant-Governor John Moragn Davis) in the presence of the Senate signed the following bill:

House Bill No. 2220, Printer's No. 1232.

## BILLS INTRODUCED AND REFERRED

Mr. VAN SANT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT read in place and presented to the Chair Senate Bill No. 1074, entitled:

An Act creating the Water and Mineral Resources Conservation Board; defining its membership, terms of office and powers and duties.

Which was committed to the Committee on Judiciary General.

Mr. HAYS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. HAYS and SEYLER read in place and presented to the Chair Senate Bill No. 1075, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing provisions relating to pupil transportation and reimbursement on account thereof.

Which was committed to the Committee on Education.

## SECOND READING CALENDAR

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act amending the act of June 11, 1947 (P. L. 565) entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 141, Printer's No. 1303;  
Senate Bill No. 573, Printer's No. 1230; and  
Senate Bill No. 816, Printer's No. 942.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 875, entitled:

An Act amending the act of June 3, 1943 (P. L. 847), entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind \* \* \*" further regulating leases made to blind persons extending the authority of the State Council for the Blind to engage in business enterprises amending the rate of repayment of such advancements increasing the revolving fund and permitting the transfer to the revolving fund of moneys heretofore collected from the licensing of vending machines in state buildings.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 876, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," further regulating relations between the State Council for the Blind and organizations for the blind.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

- Senate Bill No. 901, Printer's No. 1246;
- Senate Bill No. 902, Printer's No. 1247;
- Senate Bill No. 1032, Printer's No. 1216;
- Senate Bill No. 1033, Printer's No. 1217;
- House Bill No. 1035, Printer's No. 291;
- Senate Bill No. 1037, Printer's No. 1224; and
- Senate Bill No. 1047, Printer's No. 1238.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1285, on second reading, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended "Selective Sales and Use Tax Act," defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

be recommitted to the Committee on Finance.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, I just have a question. Has the bill passed second reading?

The PRESIDENT. The bill has not passed second reading. The motion, made by Senator Berger, is to recommit. It was seconded by the gentleman from Allegheny, Mr. Fleming.

And the question recurring,  
Will the Senate agree to the motion?  
It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1360, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," giving powers to and imposing duties on the Department of Health in connection with rehabilitation of persons with hearing or speech defects.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1561, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to assign transfer and set over to the Pennsylvania Game Commission the control and jurisdiction of 158.89106 acres more or less of land situate in Limerick Township, Montgomery County.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1579, entitled:

An Act amending the act of August 5, 1941 (P. L. 752), entitled "Civil Service Act," requiring that the commission permit certain promotions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2201, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," further regulating obscene exhibitions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2237, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported



from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.  
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 283, entitled:

An Act amending the act of June 8, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," providing for special elections in case of tie votes in certain county-wide elections.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 941, entitled:

An Act amending the "Pennsylvania Election Code," approved June 8, 1937 (P. L. 1333), increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, August 17, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. PROPERT. Mr. President, I second the motion.  
The motion was agreed to.

The Senate adjourned at 10:08 o'clock, a. m., Eastern Standard Time, until Monday, August 17, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, August 11, 1959.

The House met at 11:00 a. m., EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Father, we thank Thee for the privilege of coming to Thee at the beginning of this day's session. And we humbly pray that Thy eternal presence may be with each one of these Thy servants. Grant them the vision of being Thy representatives as they also serve their respective legislative districts. Enable them to see Thy truth as they are confronted with perplexing problems and difficulties which beset this state and her people. And bestow upon them a measure of Thy grace so that they may ever serve Thee and Thy will. Through Jesus Christ, our Lord, we pray. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, August 10, 1959, will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. POLEN and McCANN.

HOUSE BILL No. 2313.

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County, for furnishings and equipment, grading and landscaping of grounds and improvement of roadways.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD and SNIDER.

HOUSE BILL No. 2314.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission; removing certain limitation with respect to moneys in the Historical Preservation Fund, and crediting certain moneys collected by the commission to such fund.

Referred to the Committee on State Government.

By Mr. WHEELER.

HOUSE BILL No. 2315.

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

Referred to the Committee on Ways and Means.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 703.

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" providing that title

to property taken by eminent domain may be vested in an Authority by order of court upon payment of seventy-five per cent of the appraised value of such property.

Referred to the Committee on State Government.

SENATE BILL No. 810.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 983.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

Referred to the Committee on Education.

## SENATE MESSAGE

## HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2220.

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

With the information that the Senate has passed the same without amendment.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 2220.

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

## REPORTS FROM COMMITTEE

Mr. RENWICK from the Committee on State Government, reported as amended, House Bill No. 1110, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire real property in the Borough of Clarion for use of the Clarion State Teachers' College and making an appropriation.



Mr. REIDENBACH from the Committee on Education, reported as amended, House Bill No. 2102, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the basis for determination of approved building construction costs for reimbursement purposes.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), changing the applicability of the act and the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

Mr. DENGLER from the Committee on Education, reported as committed, House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

Mr. YATRON from the Committee on Law and Order, reported as committed, House Bill No. 504, entitled:

An Act repealing section 650 of "The Penal Code," approved June 24, 1939 (P. L. 872) relating to pawnbrokers dealing with minors.

Mr. A. J. MURPHY from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed, agreement of sale, title insurance policy, or other instrument in writing, \*\*\*"

Mr. STEWART from the Committee on Professional Licensure, reported as committed, House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law," approved March 19, 1909 (P. L. 46), changing standards and qualifications for hospitals in which interns may train.

Mr. R. P. JOHNSON from the Committee on Law and Order, reported as committed, House Bill No. 1886, entitled:

An Act amending the act of May 1, 1929, (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highway," etc. by prohibiting peace officers from requiring vehicles or combinations of vehicles to be driven to stationary scales in certain cases, and imposing penalties.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift, on behalf of the Pennsylvania Historical and Museum Commission, the historic property known as the Tuscarora Academy.

Mr. SHERMAN from the Committee on Education, reported as committed, House Bill No. 2146, entitled:

An Act amending the "Public School Code of 1949"

approved March 10, 1949 (P. L. 30), providing for the combination of counties into a single unit of county administration.

Mr. IRVIS from the Committee on Education, reported as committed, House Bill No. 2172, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 2194, entitled:

An Act relating to poultry, regulating the slaughtering, processing and marketing thereof, providing for the licensing of poultry establishments; conferring powers and imposing duties upon the Secretary of Health; and imposing penalties.

Mrs. B. Z. MILLER from the Committee on Professional Licensure, reported as committed, House Bill No. 2203, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), permitting reciprocal licensure of foreign applicants.

Mr. WELSH from the Committee on Law and Order, reported as committed, House Bill No. 2232, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views; prohibiting the exhibition of those found to be obscene; and fixing penalties.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 2259, entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year; and providing for registration fees.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2265, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), creating and imposing duties on mine safety committees.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2267, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without

prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2269, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2270, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), regulating the marking of the means of ingress and egress in mines.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

Mr. HORST from the Committee on Townships, reported as committed, Senate Bill No. 38, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

Mr. KORNIS from the Committee on Townships, reported as committed, Senate Bill No. 41, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

Mr. HAMILTON from the Committee on Education, reported as committed, Senate Bill No. 832, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the reorganization of school districts.

Mr. SCHAAF from the Committee on Professional Licensure, reported as amended, House Bill No. 1055, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589) altering the requirements for licensure increasing penalties for unlicensed barbering or teaching \* \* \*.

Mr. LUTTY from the Committee on State Government, re-reported as amended House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

Mr. POLASKI from the Committee on State Government, re-reported as amended, House Bill No. 1175, entitled:

An Act providing in the event of attack upon the

United States for the continuity of the executive functions of the government of the Commonwealth and the governments of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

### BILL RE-REFERRED

Mr. SCHWARTZ from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 1874, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the organization of certain departmental administrative boards within the Departments of Public Instruction and Health.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 504, entitled:

An Act repealing section 650 of "The Penal Code," approved June 24, 1939 (P. L. 872) relating to pawnbrokers dealing with minors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed, agreement of sale, title insurance policy, or other instrument in writing, \* \* \*"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law," approved March 19, 1909 (P. L. 46), changing standards and qualifications for hospitals in which interns may train.

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.



Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1886, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways," etc., by prohibiting peace officers from requiring vehicles or combinations of vehicles to be driven to stationary scales in certain cases, and imposing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift, on behalf of the Pennsylvania Historical and Museum Commission, the historic property known as the Tuscarora Academy.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2146, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the combination of counties into a single unit of county administration.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2172, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2194, entitled:

An Act relating to poultry, regulating the slaughtering, processing and marketing, thereof, providing for the licensure of poultry establishments; conferring powers and imposing duties upon the Secretary of Health; and imposing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2203, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), permitting reciprocal licensure of foreign applicants.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2232, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views; prohibiting of those found to be obscene; and fixing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2259 entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748), changing the registration year; and providing for registration fees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2264 entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2265 entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), creating and imposing duties on mine safety committees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2267 entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2268 entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2269 entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2270 entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), regulating the marking of the means of ingress and egress in mines.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2271 entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring action of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 38, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 41, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 832, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the reorganization of school districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

## RESOLUTION

### CONGRATULATIONS

Mr. HORST asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, August 11, 1959.

Franklin County, located in the south central area of our great Commonwealth of Pennsylvania—rich in economic resources and historical background—ranks first in the production of peaches among the Counties of our State and 12th among the Counties of our Nation.

Franklin County produces more than 800,000 bushels of this "Queen of the Fruits" annually with a value well in

excess of \$2,000,000, thus contributing materially to and enhancing the economic welfare of Franklin County and our Commonwealth of Pennsylvania.

The peaches of Franklin County, prized by many experts as the finest tasting peaches of all, are shipped as far east as Boston, as far west as Kansas City, as far north as Montreal and as far south as Miami and New Orleans, and are, thus, carrying and publicizing the name of Franklin County and our Commonwealth over that vast area.

Whereas, the Authorities of Franklin County have proclaimed the period beginning August 14th and ending August 24, 1959, as "Peach-Harvest Festival Week," under the co-sponsorship of the Franklin County Horticultural Association, the Franklin County Agricultural Extension Association, The Greater Chambersburg Chamber of Commerce and the Waynesboro Chamber of Commerce, who have, under the authority of this proclamation, laid out appropriate tours throughout the orchard area of this historic County and have further issued a very sincere and cordial invitation to all of the residents of our Commonwealth of Pennsylvania, and its neighboring states, to attend this greatly interesting Festival and area; therefore be it

Resolved, That the House of Representatives of the General Assembly of Pennsylvania tender its just and grateful recognition, of this worthwhile effort to publicize Franklin County and our Commonwealth of Pennsylvania, through and by an expression of its appreciation, congratulations and encouragement; and be it further

Resolved, That the House of Representatives of the General Assembly of Pennsylvania accept, with thanks, the invitation issued by the Sponsoring Organizations of the Franklin County "Peach-Harvest Festival" and that as many members of this august body, as possible, attend in person and, by their presence, add a great measure of lustre to this great and important annual event in the annals of Franklin County and our Commonwealth; and be it further

Resolved, That copies of this Resolution be prepared and a copy transmitted to each of the Sponsoring Organizations, the Commissioners of Franklin County and to the Peach Queen of the Franklin County "Peach-Harvest Festival."

## PRESENTATION OF RESOLUTION

The SPEAKER. The Chair would open the door to one minute debate by any Member who desires to argue the question of whether or not Franklin County is or is not the greatest peach county in the world.

By the lack of response we take it the House unanimously agrees that Franklin County is the greatest peach county in the world.

Will the gentleman from Franklin, Mr. Horst, come to the desk and receive his certified copy of his resolution?

You know Ikie who was quite a man with the ladies was walking down the street with one of them and he was munching a peach. He met a friend and the friend says,

"What have you got there?"

Ikie says, "I've got a peach."

The friend says, "She looks more like a sour apple to me."

Very fortunately, Mr. Horst, your peaches don't look like sour apples. They are fine specimens and we congratulate you for being in a position to speak for that great peach producing county of Franklin.

## PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DAUGHERTY asked and obtained permission for



the Committee on Motor Vehicles to meet during the session of the House.

Mr. WHEELER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

## RESOLUTION

### CONGRATULATIONS

Messrs. KUBITSKY and MEHOLCHICK asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, August 11, 1959.

The citizens of the Hazleton area are certainly proud today and they have the right to be so because on Saturday afternoon, August 8, the Valley Babe Ruth Baseball League All-Stars crushed the Crawford County West All-Stars 12-1 to win the Pennsylvania Babe Ruth Championship.

The game was played before approximately 3,000 fans at the beautiful Westinghouse field in Sharon. Until the fourth inning the teams were locked in a scoreless duel but the superior play of the valley team caused the roof to cave in on the Crawford team at that point. Although the Crawford team displayed great spirit and ability they were unable to overcome the six runs that the boys from the region scored in the fourth.

Much of the credit for this hard earned victory must go to the Valley pitcher, Tom Sharkey of West Hazleton, since he only allowed three hits while striking out 12 batters. Of course he couldn't have done such a masterful job without the help of all his teammates, so we would have to call this a great team victory.

No team could get to the State final without the support and encouragement of the manager and his staff. Joseph (Bully) Christina is the manager of this great team and the duties of coaching fall into the capable hands of Carl Schneider, Sr. If it wasn't for these men as well as Eddie Waitkus, the Valley Babe Ruth League President, the team would never have achieved the honors which are now being showered upon it.

This Valley team which represents boys of all walks of life is certainly a credit to the community and to the Commonwealth of Pennsylvania. Let us all hope that they will be just as successful in their march to the national championship which starts today in Washington, D. C. These boys have displayed the type of sportsmanship and clean play that makes Pennsylvania such a great State; therefore be it

Resolved, That the House of Representatives congratulate the Valley Babe Ruth Baseball League All-Stars on their most inspiring victory in the State finals; and be it further

Resolved, That the House of Representatives wish these boys and all those who have helped them along the way, the best of luck in their forthcoming national play-offs; and be it further

Resolved, That a copy of this resolution be forwarded to Eddie Waitkus, the League President, to Manager Joseph Christina and to the coach Carl Schneider, Sr.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

Mr. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1659 FROM GOVERNOR

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 30, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1659, Printer's No. 681, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. EILBERG. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. GELFAND for today's session.

Mrs. Varallo for Mr. McCORMACK for today's session.

Mr. Tompkins for Mr. KEE for the remainder of week.

Mr. Tompkins for Mr. WOOD for the remainder of week because of death in family.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

## PERMISSION TO ADDRESS HOUSE

Mr. HORST asked and obtained unanimous consent to address the House.

Ladies and gentlemen of the House, I would like to thank you on behalf of Franklin County Horticultural Association for this resolution you just passed. You are welcome to the peaches. We welcome you to our county on Sunday. Your folders will give you the details of our festival.

Mr. Speaker, I would appreciate very much if you would be kind enough to have the Chief Clerk send a letter of thanks to Mr. Harry E. Walker, 225 Fifth Avenue, Chambersburg, and Mr. Fred C. Bikle Fayetteville, R. D. 1. These gentlemen furnished the peaches to you through me.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1241, entitled:

An Act amending "The Coal Mine Sealing Act of 1947" approved June 30, 1947 (P. L. 1177) imposing duties on the Department of Mines and Mineral Industries and the operator of a mining operation that causes a water loss or diminution and imposing penalties.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase services.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1701, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) extending the period for shooting on regulated shooting grounds.

And said bill having been at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1906, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" further regulating the investigation of borough funds.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 65, Printer's No. 66, was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 143, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

#### BILLS PASSED OVER

The SPEAKER. Without objection, all Senate bills on pages 4 and 5 will be passed over temporarily.

The Chair hears none.

#### BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

##### BILL PASSED OVER

The SPEAKER. Without objection, House Bill No. 1427 Printer's No. 1236, will be passed over.

The Chair hears none.

#### BILLS ON FINAL PASSAGE

##### BILLS PASSED OVER

The SPEAKER. Without objection, House Bills Nos. 63 and 954 will be passed over.

The Chair hears none.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1018, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), enlarging the power of cities to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities and from points without such cities to points within such cities.

#### RECONSIDERATION OF VOTE

Mr. EILBERG. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 730), page 3, line 8, by inserting after "cities": "other than cities".

Amend Sec. 1 (Sec. 730), page 3, line 12, by inserting after "ten": "(10)".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.



On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1191, Printer's No. 967 and

House Bill No. 1542, Printer's No. 1253

were passed over at the request of the SPEAKER.

#### CHIEF OF MENDI TRIBE WELCOMED

The SPEAKER. The Chair has been asked to announce that there is present in the Hall of the House as guest of the delegation from Lancaster, the Messrs. Wood, Royer, Murray and Eshleman, James William Quee, III, Paramount Chief of the Mendi Tribe of 12,000 people of the Mogamba District in the Sierra Leone Protectorate of British West Africa.

Chief Quee is here in the United States to observe the ideology, government and the agriculture of our people.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1633, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace magistrates and aldermen and repealing certain prior acts.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. I want to call to the attention of the House that this bill provides for complete new procedure for actions taken before a justice of the peace, magistrate and alderman. There are some very fine new features connected with it, but a couple that I consider to be very uncertain and unfavorable. At least, the practice that you have in a smaller county would not stack up very well under the provisions of the bill. Personally, I am against the bill. I merely wanted the House to know what bill they were voting on and what it provided.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—166

Agnew,	Flynn,	McCann,	Riley,
Anderson,	Foerster,	McDonald,	Rovansek,
Arlene,	Fox,	McInroy,	Royer,
Ashton,	Frank,	McKeever,	Rudisill,
Auker,	Frascella,	McLaughlin,	Scarcelli,
Balthaser,	Fulmer,	Magee,	Schaaaf,
Barton,	Galley,	Mahan,	Schuster,
Blair,	Gallagher,	Markley,	Schwartz,
Boies,	Garlock,	Maxwell,	Seltzer,
Bonner,	George,	Meholchick,	Sherman,
Bower,	Gibb,	Mihm,	Shupnik,
Bowman,	Goldstein,	Miller, B. Z.,	Silverman,
Branca,	Gramlich,	Miller, H. G.,	Snider,
Brenninger,	Guthrie,	Mills,	Stank,
Breth,	Hamilton,	Monroe,	Steckel,
Buchanan,	Heffner,	Muldowney,	Stevens,
Burns,	Helm,	Mullen,	Stewart,
Capano,	Henzel,	Munley,	Stimmel,
Capitolo,	Hocker,	Murphy, A. J., Jr.	Stone,
Cianfrani,	Hollday,	Murray, H. P.,	Trusio,

Cioffi,	Holt,	Murray, J. J.,	Varallo,
Clarke,	Irviss,	Musto,	Verona,
Comer,	Jenkins,	Needham,	Wall,
Crossin,	Jim,	Nelson,	Walsh,
Davis,	Jones, F. R.,	O'Donnell, J. A.,	Wargo,
Dengler,	Jones, T. H. W.,	O'Donnell, J. P.	Weidner,
Dennis,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Keiser,	O'Neil,	Wheeler,
Devlin,	Knecht,	Parlante,	Whittaker,
Donahue,	Kooker,	Pashley,	Williams, A.D., Jr.,
Donaldson,	Kornick,	Perry, H. H.,	Williams, E. S.,
Dougherty,	Kovolenko,	Perry, P. E.,	Willard,
Down,	Lamb,	Petrosky,	Willaredt,
Ellberg,	Lee, A. M.,	Polaski,	Wilt,
Eshback,	Lee, K. B.,	Polen,	Worley,
Eshleman,	Leonard,	Prendergast,	Wynd,
Ewing,	Limper,	Price,	Yatron,
Farabaugh,	Lippincott,	Pursley,	Yetter,
Fetterolf,	Lopresti,	Reibman,	Zimmerman,
Filo,	Luigard,	Reidenbach,	
Fineman,	Lutty,	Renwick,	Andrews,
Floyd,	McCandless,	Rigby,	Speaker

#### NAYS—21

Edwards,	Kernaghan,	Machmer,	Odorisio,
Goodrich,	Kessler,	Merry,	Sakulsky,
Horst,	Korns,	Murphy, P. J.,	Stoner,
Isaacs,	Kubitsky,	Naugle,	Stroup,
Johnson, R.,	Light,	O'Dell,	Tompkins,
Jump,			

#### NOT VOTING—21

Bell,	Heavey,	Murray, P. G.,	Thompson,
Boris,	Johnson, A. W.,	Snare,	Ujobai,
Brown,	Kee,	Strausser,	Varner,
Cooper,	McCormack,	Sullivan,	Wescott,
Curwood,	Moran,	Taylor,	Wood,
Gelfand,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFE asked and obtained permission for the Committee on Counties to meet during the session of the House.

#### REPORTS FROM COMMITTEE

Mr. STONE from the Committee on Highways, reported as committed, House Bill No. 1887, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes," increasing and changing the appropriation out of the Motor License Fund and continuing a conditional appropriation beyond the calendar year 1959.

Mrs. ANDERSON from the Committee on Education, reported as committed, House Bill No. 1022, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the public notice provisions relating to auditors' reports.

Mr. WELSH from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1205, entitled:

An Act repealing clause (f) of section 402, of the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897) relating to ineligibility for compensation under shipping articles.

Mr. McLaughlin from the Committee on Ways and Means, reported as committed, House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing certain provisions relating to returns, assessments and basis of such assessments; imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions; \* \* \*.

Mr. COMER from the Committee on State Government, reported as committed, House Bill No. 2110, entitled:

An Act authorizing the Dept. of Property and Supplies, with the approval of the Governor, to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute, Philadelphia, Pa.

Mrs. MUNLEY from the Committee on Law and Order, reported as committed, House Bill No. 2233, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views; prohibiting the exhibition of those found to be obscene; providing special proceedings; and fixing penalties.

Mr. RUDISILL from the Committee on Counties, reported as committed, House Bill No. 2288, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), making the levying of a tax on salaries, professions, trades and occupations and persons who follow no occupation or calling optional in counties.

Mr. BONNER from the Committee on Workmen's Compensation, reported as committed, House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), by increasing the rate of compensation.

Mr. ROVANSEK from the Committee on Workmen's Compensation, reported as committed, House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) changing compensation payable in certain instances, adding to the list of injuries for which compensation is payable, changing procedures, clarifying certain terminology, modifying the period of limitation and making an appropriation.

Mr. McLAUGHLIN from the Committee on Ways and Means, reported as committed, House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

Mr. RENWICK from the Committee on Counties, reported as committed, Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessments law," specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as amended, House Bill No. 169, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle

Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act, and other acts relating to the ownership, possession and use of vehicles and tractors," providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

Mr. CIOFFI from the Committee on Ways and Means, reported as amended, House Bill No. 1590, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), increasing the permanent excise tax.

Mr. CIOFFI from the Committee on Ways and Means, reported as amended, House Bill No. 1593, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) increasing the permanent State tax.

Mr. WILLAREDT from the Committee on Insurance, reported as amended, House Bill No. 2027, entitled:

An Act amending "The Insurance Unfair Practices Act," approved June 5, 1947 (P. L. 445), prohibiting rates based on fictitious grouping of risks and further defining the applicability of the act.

Mr. GARLOCK from the Committee on State Government, reported as amended, House Bill No. 2240, entitled:

An Act amending the "Commerce Law," approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

## BILL RE-REFERRED

Mr. POLASKI from the Committee on Municipal Corporations, returned with the recommendation that it be re-referred to the Committee on Judiciary, House Bill No. 1858, entitled:

An Act authorizing any political subdivision to acquire by gift, devise or purchase development rights over any land within its boundaries, and thereafter to control, restrict or prohibit any use of such land more intensive in character than existed at the time of the acquisition of such development rights by the political subdivision.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1887, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes," increasing and changing the appropriation out of the Motor License Fund and continuing a conditional appropriation beyond the calendar year 1959.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1022, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the public notice provisions relating to auditors' reports.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1205, entitled:

An Act repealing clause (f) of section 402, of the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897) relating to ineligibility for compensation under shipping articles.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing certain provisions relating to returns, assessments and basis of such assessments; imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions; \*\*\*.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2110, entitled:

An Act authorizing the Dept. of Property and Supplies, with the approval of the Governor, to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute, Philadelphia, Pa.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2233, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views; prohibiting the exhibition of those found to be obscene; providing special proceedings; and fixing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2288, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), making the levying of a tax on salaries, professions, trades and occupations and persons who follow no occupation or calling optional in counties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), by increasing the rate of compensation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) changing compensation payable in certain instances, adding to the list of injuries for which compensation is payable, changing procedures, clarifying certain terminology, modifying the periods of limitations and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessments law" specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I request permission of this House for a recess of one hour and thirty minutes, of which thirty minutes will be for lunch, from 1:30 to 2:00; 2:00 to 3:00 will be the respective caucuses.

I ask every member to bring with him the House calendar to the House Caucus Room.

I request a recess until 3:00 p. m., Daylight Saving Time, and that we will work until approximately 7:00 p. m., Daylight Saving Time.

Mr. TOMPKINS. Mr. Speaker, there will be a Republican caucus at 2:00 o'clock Daylight Saving Time in the Republican House Caucus Room. Republicans will please bring their calendars with them.

## QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Allegheny County rise?

Mr. STEVENS. I rise to a question of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STEVENS. On August 6, one the Pittsburgh newspapers reported that I had made a statement to the effect that because labor was against the sales tax that I was for it.

I wish at this time to deny making any such statement,

either on the floor of the House, or any other place in my official capacity as a Representative.

My record in the last Session of the Legislature and in this Session of the Legislature and my previous experiences in the labor movement, has proven that I am a friend of labor and my efforts have always been to improve the standards of living for the working men and women of this Commonwealth.

I wish to have my statement spread upon the record.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess of one and one-half hours.

The Chairs hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. EWING asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

### RESOLUTION

#### CONDOLENCE

Messrs. EWING, COOPER, THOMPSON, RIGBY, WILT, GOLDSTEIN GIBB, AGNEW, KAMYK, DEVLIN, FILO, LEONARD, LUTTY, BOIES, LAMB, J. J. MURRAY, JENKINS, MIHM, SCHUSTER, WALSH, MORAN, CLARKE, IRVIS, FOERSTER, McLAUGHLIN, DONALDSON and STEVENS asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, August 11, 1959.

The people of Allegheny County deeply mourn the death of Representative John R. Haudenshield who died on July 27th after a long illness.

Born on September 10, 1888, a son of John E. and Mary Holmes (Burk) Haudenshield, he received his elementary education in the Scott Township schools, attended Carnegie High School and was a graduate of the University of Pittsburgh. For many years he served as a director of the First Federal Savings and Loan Association of Pittsburgh.

Widely known among his friends and constituents as "Silver Dollar John" because of his habit of changing paper money into silver dollars which he used to pay for restaurant tabs and to distribute among his nephews and nieces he was also prominent as a historian, having been active in many historical groups, among them the Pennsylvania Society of the Sons of the American Revolution and the Historical Commission of Pennsylvania. While in office, he sponsored legislation from the preservation and maintenance of many historical sites including Old Economy, Landis Valley Museum in Berks County, and Friendship Mill, New Salem, Pennsylvania.

A member of the House of Representatives at the time of his death, he was serving his tenth term as a member of that body.

He will long remain with us, not only because of his prowess as a businessman and member of the General Assembly, but also for his contributions to the benevolence and well being of his fellow citizens. His entire life was dedicated to the service of his fellowmen and he gave

freely of his time and unreservedly of his effort; therefore be it

Resolved, That the members of the House of Representatives extend their deepest and most sincere sympathies, both individually and as a body to the widow of Representative John R. Haudenshield; and be it further

Resolved, That a copy of this resolution be forwarded to his beloved wife, Ella Mae Haudenshield at 111 Ramsey Avenue, Carnegie, Pennsylvania.

### BILL INTRODUCED AND REFERRED

By Messrs. STIMMEL and HAMILTON.

HOUSE BILL No. 2316.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

Referred to the Committee on Rules.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BRETH asked and obtained permission for the Committee on Game and Conservation to meet during the session of the House.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1002.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a route in Hanover Township Lehigh County.

Referred to the Committee on Highways.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. DAVIS.

RESOLUTION (Not Printed).

In the House of Representatives, August 11, 1959.

The Honorable Ira M. Fox, a former member of this House of Representatives from Forest County, celebrates his eighty-eighth birthday on August 12, 1959.

Mr. Fox's record of public service includes thirty-four years as a school director, four years as Treasurer of Forest County, as well as six years as Representative of Forest County in this House of Representatives. He is one of the last surviving members of the famous "rump" session of 1921 during the Sproul Administration. In addition to his long years of public service in these official capacities, Mr. Fox was of service and help to many persons through his active leadership in church and Masonic activities; therefore, be it

Resolved, That this House of Representatives extends its hearty congratulations to Mr. Fox on his birthday anniversary, and hopes that he may continue to enjoy life to its fullest; and be it further

Resolved, That a copy of this resolution be forwarded to Mr. Fox at his home.

Referred to the Committee on Rules.

The SPEAKER. The Chair is requesting the gentleman from Armstrong, Mr. Helm, to preside during the first hour.

Mr. HELM IN THE CHAIR



## BILLS ON FINAL PASSAGE

## BILLS PASSED OVER

There being no objection

House Bill No. 1639, Printer's No. 1301;  
House Bill No. 1652, Printer's No. 1287;  
House Bill No. 1726, Printer's No. 1306;  
House Bill No. 1802, Printer's No. 1255 and  
House Bill No. 1984, Printer's No. 1184;

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 424, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the issuance and transfer of liquor licenses.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for informatino.

Amend Title, page 2, last line of Title, by inserting after "licenses": "and further defining the powers of courts on appeals."

Amend Sec. 1, page 2, line 1, by striking out "Section 404" and inserting "Sections 404, 464 and 471."

Amend Sec. 1, page 2, line 2, by striking out "is" and inserting "are."

Amend Sec. 1, page 4, by adding after line 6:

Section 464. Hearings Upon Refusal of Licenses, Renewals or Transfers; Appeals.—The board may of its own motion, and shall upon the written request of any applicant for club hotel or restaurant liquor license, or any applicant for any malt or brewed beverage license other than a public service license, or for renewal or transfer thereof, whose application for such license renewal or transfer has been refused, fix a time and place for hearing of such application for license or for renewal or transfer thereof, notice of which hearing shall be mailed to the applicant at the address given in his application. Such hearing shall be before the board, a member thereof, or an examiner designated by the board. At such hearing, the board shall present its reasons for its refusal or withholding of license, renewal or transfer thereof. The applicant may appear in person or by counsel, may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The examiner shall thereafter report to the board upon such hearing. The board shall thereupon grant or refuse the license, renewal or transfer thereof. In considering the renewal of a license, the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license. If the board shall refuse such license, renewal or transfer following such hearing, notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all such cases, the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant. Any applicant who has appeared before the board or any agent thereof at any hearing, as above provided, who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal, or any church,

hospital, charitable instutions, school or public playground located within three hundred feet of the premises applied for, aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license, may take an appeal limited to the question of such grievance, within twenty days from date of refusal or grant, to the court of quarter sessions of the county in which the premises applied for is located or the county court of Allegheny County. Such appeal shall be upon petition of the aggrieved party, who shall serve a copy thereof upon the board, whereupon a hearing shall be held upon the petition by the court upon ten days notice to the board, which shall be represented in the proceeding by the Department of Justice. The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The court shall hear the application de novo on questions of fact, [administrative discretion] law and such other matters as are involved, at such time as it shall fix, of which notice shall be given to the board. The court shall in its own discretion either sustain or over-rule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant. The parties to the proceeding may, within thirty days from the filing of the order or decree of said court, appeal therefrom to the Superior Court.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 471. Revocation and Suspension of Licenses.—Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor, alcohol or malt or brewed beverages, or of any regulations of the board adopted pursuant to such laws, or of any violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee within the scope of this article, his officers, servants, agents or employees, or upon any other sufficient cause shown, the board may, within one year from the date of such violation or cause appearing, cite such licensee to appear before it or its examiner, not less than ten nor more than fifteen days from the date of sending such licensee, by registered mail, a notice addressed to him at his licensed premises, to show cause why such license should not be suspended or revoked. Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing, if satisfied that any such violation has occurred or for other sufficient cause, the board shall immediately suspend or revoke the license, notifying the licensee thereof by registered letter addressed to his licensed premises. Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order, during which time the licensee may take an appeal as provided for in this act. When a license is revoked, the licensee's bond may be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of three years from the date such license was revoked. In the event the board shall revoke a license, no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises, except in cases where the licensee or a member of his immediate family is not the owner of the premises, in which case the board may, in its discretion, issue or transfer a license within the said year. In all such cases, the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action or penalty of the board, he shall have the right to appeal, and a hearing de novo, to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses. Upon appeal, the



court so appealed to shall, in the exercise of its discretion, [sustain reject, alter or modify the findings, conclusions and penalties of the board, based on the findings of fact and conclusions of law as found by the court] make its own findings of fact, conclusions of law and decision and on finding the licensee guilty of any violation of the law or the regulations of the board, shall in its own discretion impose a penalty as provided for by this act. The aforesaid appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The licensee or the board may, within thirty days from the filing of the order or decree of said court, file an appeal therefrom to the Superior Court. In those cases where the board shall suspend a license, the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind. In the case of a manufacturer of malt or brewed beverages, the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension; in the case of a liquor importer, sacramental wine licensee and a malt or brewed beverage importing distributor, thirty dollars (\$30); in the case of a distributor of malt or brewed beverages, twenty dollars (\$20 for each day of suspension; and in the case of a hotel, restaurant and club liquor licensee, and a retail malt or brewed beverage dispenser, or transporter for hire, ten dollars (\$10) for each day of suspension. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Where the court shall order a suspension it may also recommend to the board that it accept an offer in compromise for all or a portion of the period of suspension.

Amend Bill, page 4, by adding after line 6:

Section 2. This act shall take effect immediately.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Westmoreland, Mr. Petrosky consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it not true that the amendments as presented contain the identical language of House Bills 796 and 797, which already have passed the House and are in the Senate?

Mr. PETROSKY. Mr. Speaker, that is true, they passed the House June 3, the language of the amendments passed the House June 3, by a vote of 193 to 5.

Mr. GOLDSTEIN. That applies to both bills, I believe. Is that correct, Mr. Speaker?

Mr. PETROSKY. That is correct, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it not true that Senate Bill 424 is a bill which relates to control of skid rows in this Commonwealth.

Mr. PETROSKY. Mr. Speaker, that is not necessarily true. I do recognize that the newspapers and many people have been calling Senate Bill 424 the anti-skid row bill; however, it does not alone apply to what is commonly referred to as skid row, it applies to every license and licensee in the 67 counties of the Commonwealth, wherever they may be located.

Mr. GOLDSTEIN. Mr. Speaker, in addition to control of

skid rows, Senate Bill 424 also controls the issuing of licenses in residential areas, is that not true?

Mr. PETROSKY. That is correct Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it not true that the amendments which are substantially House Bills 796 and 797 relate to the jurisdiction of courts on appeal and also the jurisdiction of courts to determine whether or not compromises should be accepted by the Liquor Control Board?

Mr. PETROSKY. That is correct Mr. Speaker, and if I may explain, Senate 424 as I indicated before, enlarges the scope of the power of the Liquor Control Board, the administrative body, and the amendments that I have offered merely enlarge and broaden the scope of the local courts on appeals of course. I recognize and believe many other Members of the House recognize that those local skid row situations can be very capably taken care of by a combination of Senate Bill 424 and the amendments that I have offered and still remain an equitable and fair piece of legislation to anybody who would be aggrieved, any litigants who would be aggrieved by a decision of the administrative body.

Mr. GOLDSTEIN. Mr. Speaker, would it be sounder legislative procedure to allow 796 and 797 to be passed, and also pass Senate 424 in its original state?

Mr. PETROSKY. Not necessarily, they could ride together, Mr. Speaker.

Mr. GOLDSTEIN. I thank the gentleman, Mr. Speaker. I am sure that the amendments as introduced are a delaying action merely, and they will bring about the passage of this bill in a condition in which the Governor of this Commonwealth will be compelled to veto the measure. If you vote for these amendments, you vote against the Democratic platform, and against the Republican platform because the amendments as introduced by the gentleman from Westmoreland, Mr. Petrosky, are very, very, debatable. I believe they are opposed by the Liquor Control Board. They constitute a new concept in administration on appeals and on compromises.

We fought for Senate Bill 424 for weeks. It was introduced by two Senators from the city of Philadelphia, both of them Democrats, both of whom stated they were behind the bill because of the deplorable conditions in the city of Philadelphia. They were behind the bill and we are behind the bill because we believe that the Governor of this state sincerely wants a skid row bill passed. We say, and we say repeatedly, if these amendments are tacked onto the bill they will destroy the bill and cripple it. If the amendments as proposed by Mr. Petrosky are sound the Senate will consider them in due course and either pass them or reject them. What we must pass upon is one issue in Senate Bill 424, that is are we opposed to skid rows, and are we in favor of people who live in high class residential areas having the right to be free of taverns. We are not considering their rights of appeal. Their rights of appeal exist today. Mr. Petrosky desires to amplify their rights.

I say to him and I say to you, amplify the rights by having House Bills 796 and 797 passed in the Senate. I repeat, are you going to stand behind Lawrence, the Governor of this Commonwealth, by voting down these amendments? I am asking the Members on both sides of this House to let us get this bill on the road, pass it without the amendments, and Governor Lawrence will sign the bill this week.



Mr. SCHWARTZ. Mr. Speaker, I cannot think of anything to say other than I disagree most wholeheartedly with my colleague from Allegheny County. If ever I heard a scare, or an attempt to scare put out on the floor of this House, this was it.

This is Mr. Goldstein's opinion of what these amendments do. As an attorney, and I think Mr. Goldstein as an attorney, should appreciate the fact that the people of this Commonwealth, whether they be liquor licensees or anything else, should be entitled to their day in court and that is all House Bills 796 and 797 did. It does not detract from this bill 424 in any way, shape or form.

What Mr. Petrosky said before is true. This is known as the skid row bill, but actually it is not. This applies to every liquor licensee whether it is in a skid row neighborhood or not. It applies to 67 counties. I resent not giving a licensee an opportunity to have his day in court, to have his case heard on appeal if necessary. This does not even weaken 424. The things that 424 attempts to accomplish are still there and are untouched. I say in all fairness you can vote for this bill with the amendment. In fact I think that this is a good time for this amendment to be introduced, because it amends exactly the same law.

There is a possibility that 796 and 797 may never see the light of day in the other chamber. This is not an attempt to defeat 424. I am for 424 whether these amendments pass or whether they do not, and I think the rest of the membership of this House who will vote for these amendments feel exactly as I do.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Philadelphia, Mr. Schwartz, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Schwartz, consent to be interrogated?

Mr. SCHWARTZ. I shall, Mr. Speaker.

Mr. SCHWARTZ. Reserving the same right that Mr. Goldstein had yesterday, to give the kind of answer he gave to me.

Mr. GOLDSTEIN. I know that the gentleman will be more cooperative than I was.

Mr. SCHWARTZ. Do not bet on it.

Mr. GOLDSTEIN. Mr. Speaker, does not the licensee have the right of appeal today under Section 464 of the Liquor Control Act?

Mr. SCHWARTZ. It depends on what you mean by right of appeal.

Mr. GOLDSTEIN. Does he or does he not?

Mr. SCHWARTZ. There is a right of appeal, but it is my belief and it was the belief of 193 Members of this House who voted for 796 and 797 that the right of appeal was not adequate.

Mr. GOLDSTEIN. Well, is it not true that the only words taken out of Section 436 substantially are "administrative action"?

Mr. SCHWARTZ. Well, I think the gentleman and I could probably quibble about what you mean by administrative action for the next couple of hours.

Mr. GOLDSTEIN. We are not going to quibble. Is this not a fact, under the present law, if 424 were passed, any licensee would have the right to appeal in the court on application, and the court could review questions of fact de novo, administrative discretion and all such matters as are involved? Is that not true of the law today?

Mr. SCHWARTZ. No, I think the gentleman was here when 796 and 797 were debated and I think he knows at

the present time what the purpose of those amendments were; to give the court more discretion than they had, because it is my belief unless you give a court discretion on an appeal, there is no use having an appeal.

Mr. GOLDSTEIN. Mr. Speaker, I am reading from the Liquor Control Act and I will repeat it again. It is not the law today that under Section 464 the court has the following power, and I read from the Act: "The court shall hear the application de novo on questions of fact, administrative discretion and such other matters as are involved." Is that not the law today?

Mr. SCHWARTZ. That is what the laws says.

Mr. GOLDSTEIN. Thank you.

Mr. McCANN. Mr. Speaker, the gentleman from Allegheny, Mr. Goldstein made a statement on the floor regarding the Republican party platform pledges and the Democratic party platform pledges. Those party platform pledges are in the Legislative Journal records on each Member's desk in this House.

I bring to your attention, whether this bill is amended or not amended, I cannot see how either party has broken any pledge as outlined in that Journal. This is only a technical procedure; the pledge is written out clearly, and if you will check carefully, I believe, if the bill is amended or is not amended, the pledge will have been carried out as written in both party platforms, a copy of which is at every Member's desk.

Mr. GOLDSTEIN. Mr. Speaker, I cannot read the mind of the Governor of this state, but I am convinced that if the bill is passed as amended it will be vetoed. I ask for a slow roll call.

Mr. GAILEY. Mr. Speaker, I rise also to oppose these amendments. I cannot help but concur with my colleague from Allegheny County that these amendments severely water down the legislation which we pledged in our platform we will pass.

I feel I must take issue with our Majority Leader when he says that we will fulfill the platform pledge no matter how we pass the bill. That may be true, but it seems to me that the difference is whether you pass a bill which fulfills not only the letter of the platform but also the spirit of the platform and one which merely complies with the words that we have written down.

In my opinion, the original bill, and one on which we fought a very hard battle here about three weeks ago complies not only with the letter of our platform pledges but also with their spirit. I suggest to the House that by the adoption of the amendments that are offered here we are complying only with the letter of the platform pledges and that we make, in effect, a hollow mockery of it.

I ask all the Members of the House to oppose these amendments.

Mr. FINEMAN. Mr. Speaker, will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, I propound this question merely for the purpose of getting some information. Can the gentleman refer to the Code that he has before him and tell me if there is presently under exist-



ing law the right of appeal on questions of law as distinguished from questions of fact?

Mr. GOLDSTEIN. Off hand, I would not want to make a definite answer, but I will repeat what the Act now says, "The court shall hear the applications de novo on questions of fact." Let us forget about your interrogation as to questions of law. The question of fact is whether or not the people—

Mr. FINEMAN. Mr. Speaker—

Mr. GOLDSTEIN. Let me answer your question, please.

Mr. FINEMAN. Well—

The SPEAKER pro tempore. The gentleman is entitled to answer the question.

Mr. GOLDSTEIN. I am not finished and I will answer your question as completely as I can.

The first thing that the court will decide on appeal is the question of fact as to whether or not there are too many licensees in a certain area, that means skid rows.

The second thing the court will decide on the question of fact is whether the installation of a tavern in a residential area is against the best interest of the community. Now that is the real meat of the case, as to whether or not the court will review questions of law. I am uncertain, but I think it is immaterial because they will review administrative discretion under the broad language, and all such other matters as are involved. I think it is broad enough to give us a question of law. But, when this case is reviewed by the county court of Allegheny County, or the municipal court of Philadelphia, or the other courts of 65 other counties, the court, in most instances, will decide the issue on the question of fact, whether the people of the communities come in before the court and say this is a good thing for the community, or it is a bad thing for the community. That is not law, that is common sense, and that is all this says.

Mr. FINEMAN. Mr. Speaker, to get back to my question, I am concerned with questions of law and about the status of the law concerning appeals from the questions of law. Am I not correct in stating that the gentleman voted for 796 and 797?

Mr. GOLDSTEIN. I am uncertain as to whether I did or not. I would have to review the record. But that would not be material to this issue because they are two different issues.

Mr. FINEMAN. Well, I think the gentleman did vote for the bills and I assume he would not have cast his vote in that manner if he did not feel that they were bills that merited our favorable action.

Now is it not a fact that those bills passed overwhelmingly because the Members of this House felt that the appellate procedure was inadequate in that there was not the right to appeal on questions of law?

Mr. GOLDSTEIN. That may be true but the net result of the passage of these amendments will mean that the bills possibly will be vetoed or will be held up in the Senate.

If you are so confident of the merits of 796 and 797, they can be passed as separate issues in the Senate and examined separately by the Governor to determine whether or not they are meritorious bills.

We should not have omnibus legislation with regard to a moral issue of this character.

Mr. FINEMAN. Well, Mr. Speaker, I would state to

the gentleman that if we could impose our thinking on the other Chamber, they very well would pass those bills. However, there is no assurance by any action that has thus far been taken that those bills are ever going to see the light of day.

Mr. GOLDSTEIN. Thank you, Mr. Speaker, for that observation. That's what I am afraid of. I am afraid that 796 and 797 may not see the light of day in the Senate and if they are tacked on to Senate Bill 424, skid row legislation, is a dead issue in 1959.

The gentleman from Philadelphia has given the most cogent reasons why we should vote against these amendments.

I thank the gentleman.

Mr. FINEMAN. Mr. Speaker, I have several observations to make.

Number one, I am deeply concerned—amazement is a more proper word, I would say—by the fact that the gentleman from Allegheny is so concerned about the Members of this House standing four-square behind the Governor's program. I certainly wish he would have manifested that type of cooperative attitude at other times during the Session. But be that as it may, I would say to the gentleman that I am as concerned about the skid row problem as is Mr. Goldstein or as is any other Member of this House, and I would in no way entertain any legislation that would detract from the purpose or the spirit of Senate Bill 424.

Now 424 has wide implications. As was stated by Mr. Petrosky, this just does not affect skid rows; it affects every licensee, be it in a residential district or be it in a skid row area throughout the 67 counties of the Commonwealth.

I do not think it behooves us in any way to limit the right of anyone to have a fair day in court, and a fair day in court includes the right for appeal, the right to have a court consider not only questions of fact but questions of law.

The reason we passed 796 and 797 was to perfect this right of appeal, to perfect or to allow a licensee who has been aggrieved by a decision to take his reasons to a higher court and have that higher court determine not only questions of fact but questions of law.

This body, this House, overwhelmingly voted for those bills. Merely by attaching these amendments to 424 does not in any way cloud the issue or cloud what we are seeking to accomplish by 424. We are not impinging upon the spirit of 424 whatsoever, but on the other hand we are doing what we can to insure that every licensee is going to have a fair day in court.

I earnestly beseech the Members of this House to vote for the amendments to 424 just as they voted for 796 and 797.

Mr. PETROSKY. Mr. Speaker, I believe the case for my amendments has been so aptly put that I should not pass this by without remarking on some of the assertions that have been made by opponents to these amendments.

I am also very much amazed and I am sure that possibly the Chairman of the Committee that handled the legislation is amazed.

Everyone in this House, in the Liquor Control Board, in the Governor's Office certainly knew that I have been an advocate of the appeals amendments and at no time did anyone indicate to me in any manner, shape or form



whatsoever that the bill would be vetoed or the bill would not be acceptable with those amendments.

I can only refer you to the remarks of the gentlemen from Philadelphia, Mr. Schwartz and Mr. Fineman, and say to them that this is good, sound legislation with the amendment attached to it. Senate Bill 424 has not been harmed whatsoever it is intact. I ask the membership of the House to support the amendments that I offer.

Mr. EILBERG. Mr. Speaker, I do not like to differ with my colleagues from Philadelphia, but they may know, and as I certainly know, the bill that we have before us is one among a list of bills which we feel is necessary for Philadelphia.

Some of the Members of this House, may feel that this is not a skid row bill but applies generally to licensees throughout the state, but as far as we are concerned, as far as the city administration of Philadelphia is concerned, this is a skid row bill.

We sit here day by day; we discuss these matters among the membership of the House; we talk to members in the Senate and I feel that I am not alone when I express the thought that many members of the other Chamber are perhaps unhappy with this bill as it has been passed.

I do not want to risk the possibility that we may amend this bill and find that we cannot come out of this Session with a bill on the subject. This bill is so important to Philadelphia that I think it essential that this bill pass today as it is without the amendments.

Mr. PETROSKY. Mr. Speaker, I would like to remind the gentlemen in the event the amendments are adopted here by the House, the bill then would be returned to the Senate and they would have to pass upon the amendments or non-concur and then it would go into conference.

There is no such issue as skid row legislation being a dead issue. The only issue that prevails here is this, there is sufficient administrative action in Senate Bill 424 to eliminate skid rows, but there is, too, a fair and equitable shake for every aggrieved litigant. I ask the Members to vote for the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. Goldstein and Gailey and were as follows:

## YEAS—103

Anderson,	Gallagher,	Meholchick,	Rudisill,
Arlene,	Hocker,	Mills,	Sakulsky,
Balthaser,	Holt,	Monroe,	Scarcelli,
Boies,	Irviss,	Muldowney,	Schaaf,
Bonner,	Isaacs,	Mullen,	Schuster,
Branca,	Jim,	Munley,	Schwartz,
Breth,	Johnson, A. W.,	Murphy, A. J., Jr.	Sherman,
Burns,	Jones, F. R.,	Murphy, P. J.,	Shupnik,
Capitolo,	Kamyk,	Musto,	Silverman,
Cianfrani,	Kernaghan,	Needham,	Stank,
Cioffi,	Kornick,	O'Donnell, J. A.,	Steckel,
Clarke,	Kovolenko,	O'Donnell, J. P.	Stimmel,
Comer,	Lamb,	Odorisio,	Stroup,
Crossin,	Leonard,	O'Neil,	Trusio,
Dengler,	Limper,	Parlante,	Varallo,
Dennis,	Lippincott,	Pashley,	Varner,
Devlin,	Lopresti,	Perry, P. E.,	Verona,
Dougherty,	Luigard,	Petrosky,	Walsh,
Farabaugh,	Lutty,	Polaski,	Wargo,
Fetterolf,	McCann,	Prendergast,	Welsh,
Filo,	McDonald,	Reibman,	Wheeler,
Fineman,	McKeever,	Reidenbach,	Wynd,
Floyd,	McLaughlin,	Renwick,	Yatron,
Flynn,	Machmer,	Riley,	Yetter,
Frank,	Markley,	Rovanssek,	Andrews,
Frascella,	Maxwell,	Royer,	Speaker

## NAYS—85

Agnew,	Fulmer,	Knecht,	Price,
Ashton,	Gailey,	Kooker,	Pursley,
Auker,	Garlock,	Korns,	Rigby,
Barton,	George,	Kubitsky,	Seltzer,
Blair,	Gibb,	Lee, A. M.,	Snider,
Bower,	Goldstein,	Lee, K. B.,	Stevens,
Bowman,	Goodrich,	Light,	Stewart,
Brenninger,	Gramlich,	McCandless,	Stone,
Buchanan,	Guthrie,	McInroy,	Stoner,
Capano,	Hamilton,	Magee,	Tompkins,
Davis,	Heffner,	Mahan,	Ujobal,
Dennison,	Helm,	Merry,	Wall,
Donahue,	Henzel,	Miller, B. Z.,	Weidner,
Donaldson,	Holliday,	Miller, H. G.,	Whittaker,
Down,	Horst,	Murray, H. P.,	Williams, A.D., Jr.,
Edwards,	Jenkins,	Naugle,	Williams, E. S.,
Eilberg,	Johnson, R.,	Nelson,	Willard,
Eshback,	Jones, T. H. W.,	O'Dell,	Willaredt,
Eshleman,	Jump,	Ogilvie,	Wilt,
Ewing,	Keiser,	Perry, H. H.,	Worley,
Foerster,	Kessler,	Polen,	Zimmerman,
Fox,			

## NOT VOTING—20

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, J. J.,	Taylor,
Brown,	Kee,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	Snare,	Wescott,
Curwood,	Mihm,	Strausser,	Wood,

So the question was determined in the affirmative and the amendments were agreed to.

RECONSIDERATION OF VOTE ON HOUSE  
BILL NO. 263

Mr. McCANN. Mr. Speaker, I move that the vote by which House Bill No. 263, Printer's No. 1223, entitled:

"An Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity."

was passed finally Monday, August 10, 1959, be reconsidered.

Mr. WHEELER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. WHEELER. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Fayette, Mr. Wheeler vote on the final passage of this bill?

Mr. WHEELER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1, page 2, line 11, by inserting after "marines": "and the General Assembly may, by general laws, set up standards and qualifications for private forest reserves, and making special provision for the taxation thereof."

The SPEAKER pro tempore. Will the House give

unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question recurring,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair wishes to acknowledge the presence in the Hall of the House today of a former Member of this House during the 1933 Session, the gentleman from Allegheny County, Hon. James K. Ruby.

The Chair welcomes the gentleman and hopes he enjoys his visit with us today.

### BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCann.

The House resumed the consideration on third reading of House Bill No. 1057, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels \* \* \*" clarifying certain provisions deleting certain definitions and expanding certain exemptions from the act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—130

Agnew,	Frank,	Mahan,	Rovansek,
Anderson,	Frascella,	Maxwell,	Rudisill,
Arlene,	Galley,	Meholchick,	Sakulsky,
Auker,	Gallagher,	Mihm,	Scarcelli,
Balthaser,	Garlock,	Mills,	Schaaf,
Blair,	Gibb,	Monroe,	Schuster,
Boies,	Goldstein,	Muldowney,	Schwartz,
Bonner,	Gramlich,	Mullen,	Seltzer,
Bower,	Hamilton,	Munley,	Sherman,
Branca,	Holt,	Murphy, A. J., Jr.	Shupnik,
Breth,	Irvia,	Murphy, P. J.,	Silverman,
Burns,	Jenkins,	Murray, J. J.,	Snider,
Capano,	Jim,	Musto,	Stank,
Capitolo,	Jones, F. R.,	Naugle,	Stevens,
Cianfrani,	Jump,	Needham,	Stewart,
Cioffi,	Kamyk,	Nelson,	Stone,
Clarke,	Kernaghan,	O'Donnell, J. A.,	Trusio,
Comer,	Kooker,	O'Donnell, J. P.	Vallo,
Crossin,	Kornick,	Odorisio,	Varnier,
Dengler,	Kovolenko,	O'Neill,	Verona,
Dennis,	Kubitsky,	Parlante,	Walsh,
Dennison,	Lamb,	Pashley,	Wargo,
Devlin,	Lee, A. M.,	Perry, H. H.,	Weldner,
Donaldson,	Leonard,	Perry, P. E.,	Welsh,
Dougherty,	Limper,	Petrosky,	Wheeler,
Ellberg,	Lopresti,	Polaski,	Whittaker,
Ewing,	Luigard,	Polen,	Williams, A.D., Jr.,
Farabaugh,	Lutty,	Prendergast,	Wilt,
Filo,	McCann,	Reibman,	Yatron,
Fineman,	McDonald,	Reidenbach,	Yetter,
Floyd,	McKeever,	Renwick,	
Flynn,	McLaughlin,	Rigby,	
Foerster,	Machmer,	Riley,	

Andrews,  
Speaker

#### NAYS—61

Ashton,	Guthrie,	Lee, K. B.,	Royer,
Barton,	Heffner,	Light,	Steckel,
Bowman,	Helm,	Lippincott,	Stimmel,
Brenninger,	Henzel,	McCandless,	Stoner,
Buchanan,	Hocker,	McInroy,	Stroup,
Davis,	Holliday,	Magee,	Tompkins,
Donahue,	Horst,	Markley,	Ujobal,
Down,	Isaacs,	Merry,	Wall,
Edwards,	Johnson, A. W.,	Miller, B. Z.,	Wescott,
Eshback,	Johnson, R.,	Miller, H. G.,	Williams, E. S.,
Eshleman,	Jones, T. H. W.,	Murray, H. P.,	Willard,
Fetterolf,	Keiser,	O'Dell,	Willaredt,
Fox,	Kessler,	Ogilvie,	Worley,
Fulmer,	Knecht,	Price,	Wynd,
George,	Korns,	Pursley,	Zimmerman,
Goodrich,			

#### NOT VOTING—17

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, P. G.,	Taylor,
Brown,	Kee,	Snare,	Thompson,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,			

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House Bill No. 1058, entitled:

An Act relating to plumbing providing for the regulation of persons engaged in plumbing prescribing the powers and duties of the Department of Health and those of local governments with respect thereto.

On the question recurring

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MAXWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. MAXWELL and AGNEW asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 5, page 6, line 7, by inserting after "act": "This act shall not apply to any person regularly employed on a wage or salary basis (1) to maintain, but not install or remove, water or sewage facilities on the premises of his employer exclusively; (2) by a publicly or privately owned public utility to install, repair or remove facilities owned by the employer and used in furnishing public utility service; or (3) to install new water-heating devices."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. J. P. O'DONNELL. These are similar to the amendments offered a few weeks ago in this Session, and I ask your consideration in voting against the amendments. I



also ask for a slow roll call on the amendments.

Mr. AGNEW. Mr. Speaker, as one of the sponsors of this bill and one of the sponsors of these amendments, I would like to explain them briefly for the benefit of the membership.

The bill as presented is perhaps a little too harsh in its application. We who have sponsored this bill believe these amendments are necessary to make it a more reasonable law when finally enacted.

What these amendments do is exempt from the application of the act employes of hotels, schools, hospitals, public institutions and such buildings, all those on a wage or salary who perform plumbing-like work exclusively on the premises of their employer. Also, it excludes employes of publicly owned or privately owned public utility companies. We believe the public utility companies should be permitted to be exempted from this act and that they should be permitted to use their own employes for the installation work which they now do. That is the reason for the amendments. We believe the amendments will make what is now good, the proposed legislation, much better. We believe the amendments are reasonable, and regardless of how the membership might feel about the bill on final enactment, we ask all Members on both sides of the House to support these amendments so that the sponsors of the bill can get the bill in the form they want for final passage.

Mr. J. P. O'DONNELL. Mr. Speaker, I would like to have the Parliamentarian give a ruling on these amendments. Since they were defeated here a few weeks ago, and the intent is the same, I would like to know if they should be offered here.

The SPEAKER pro tempore. The Chair has in its possession a letter from the Director of the Legislative Reference Bureau which I believe will answer the gentleman's question.

As you know we have prepared for you at different times sets of amendments to House Bills 1058 and 1059 relating to the same subject matter which is covered in the amendments as herein submitted. This set of amendments is different from any of the others, and if these were to be adopted the others should not be as they are to some extent conflicting with these.

It is signed by the Director of the Legislative Reference Bureau.

Does the gentleman insist upon a roll call?

Mr. J. P. O'DONNELL. I do, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. J. P. O'DONNELL and HAMILTON and were as follows:

## YEAS—95

Agnew,	Fox,	McCandless,	Reidenbach,
Anderson,	Fulmer,	McCann,	Renwick,
Auker,	Galley,	McInroy,	Rigby,
Barton,	Gallagher,	Magee,	Royer,
Boies,	Garlock,	Mahan,	Rudisill,
Bonner,	George,	Markley,	Sakulsky,
Bowman,	Gibb,	Maxwell,	Schaaf,
Brenninger,	Goldstein,	Miller, H. G.,	Seltzer,
Breth,	Goodrich,	Mills,	Shupnik,
Buchanan,	Helm,	Munley,	Stank,
Cioffi,	Henzel,	Murphy, P. J.,	Steckel,
Comer,	Holt,	Murray, H. P.,	Stimmel,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Stoner,
Dengler,	Johnson, R.,	Needham,	Stroup,
Dennison,	Jones, F. R.,	Nelson,	Wargo,

Donahue,  
Donaldson,  
Dougherty,  
Down,  
Eshback,  
Eshleman,  
Farabaugh,  
Fetterolf,  
Fineman,

Jones, T. H. W.,  
Jump,  
Keiser,  
Knecht,  
Korns,  
Kubitsky,  
Lee, K. B.,  
Light,  
Lippincott,

O'Dell,  
Ogilvie,  
O'Neil,  
Pashley,  
Perry, H. H.,  
Prendergast,  
Price,  
Pursley,  
Reibman,

Weidner,  
Williams, E. S.,  
Willaredt,  
Wilt,  
Worley,  
Wynd,  
Yetter,  
Andrews,  
Speaker

## NAYS—86

Ashton,  
Balthaser,  
Blair,  
Bower,  
Branca,  
Burns,  
Capano,  
Capitolo,  
Cianfrani,  
Clarke,  
Davis,  
Dennis,  
Devlin,  
Edwards,  
Ewing,  
Filo,  
Floyd,  
Flynn,  
Foerster,  
Frank,  
Frascella,  
Gramlich,

Guthrie,  
Hamilton,  
Hocker,  
Holliday,  
Horst,  
Irvis,  
Isaacs,  
Jenkins,  
Jim,  
Kamyk,  
Kernaghan,  
Kooker,  
Kornick,  
Kovolenko,  
Lamb,  
Lee, A. M.,  
Leonard,  
Limper,  
Lopresti,  
Luigard,  
Lutty,  
McDonald,

McKeever,  
McLaughlin,  
Machmer,  
Meholchick,  
Merry,  
Miller, B. Z.,  
Muldowney,  
Mullen,  
Murphy, A. J., Jr.  
Musto,  
Naugle,  
O'Donnell, J. A.,  
O'Donnell, J. P.  
Odoriso,  
Parlante,  
Perry, P. E.,  
Petrosky,  
Polaski,  
Polen,  
Rovansek,  
Scarcelli,

Schuster,  
Schwartz,  
Sherman,  
Silverman,  
Snider,  
Stevens,  
Stewart,  
Stone,  
Tompkins,  
Trusio,  
Ujobai,  
Varner,  
Verona,  
Wall,  
Walsh,  
Welsh,  
Wheeler,  
Williams, A. D., Jr.,  
Willard,  
Yatron,  
Zimmerman,

## NOT VOTING—27

Arlene,  
Bell,  
Boris,  
Brown,  
Cooper,  
Curwood,  
Ellberg,

Gelfand,  
Heavey,  
Heffner,  
Kee,  
Kessler,  
McCormack,  
Mihm,

Monroe,  
Moran,  
Murray, P. G.,  
Riley,  
Snare,  
Strausser,  
Sullivan,

Taylor,  
Thompson,  
Varallo,  
Wescott,  
Whittaker,  
Wood,

So the question was determined in the affirmative and the amendments were agreed to.

Agreeably to order,

The bill having been called up from the postponed Calendar by Mr. McCANN.

The House resumed the consideration on third reading of House Bill No. 1242, entitled:

An Act amending the "Vehicle Code" of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" increasing penalties for speeding.

It was agreed to recurring,

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 1242, Printer's No. 1130, was debated at length a few weeks ago. I believe all the Members of the House will recall the very serious debate and the interrogations that have taken place regarding House Bill 1242.

In the 1959 Session we have passed the majority of the Highway Safety package. This is one of those bills. When we have completed this bill and House Bill 1191 which we will amend and agree to, we will have completed one of the outstanding highway safety packages of any state in the Union. This state of ours has been recognized among the states of the Union as having an outstanding highway safety program.

Everything that we can do to help make that program better we certainly must do in an effort to save lives in the Commonwealth of Pennsylvania.

I request and ask that every Member who possibly can should support unanimously the Highway Safety package, and House Bill 1242 is one of that package. I hope today we will pass this bill and that we will then have an opportunity to have completed our highway package next week.

I certainly thank the Members of this House and I ask every Member to support this legislative measure.

Mr. BOWMAN. Mr. Speaker, it is regrettable that the majority leadership in this House has not chosen to amend this bill to make it in effect a pure safety package piece of legislation.

As the gentleman from Greene, Mr. McCann, has stated, this bill was thoroughly debated the last time it was before this House and I do not intend to debate the matter again. I merely want to say again that since the majority leadership chose to incorporate into one of the bills of the so-called highway safety program this problem of dividing the increased fines between the state and the local municipalities, I, for one, no longer consider it a pure highway safety program bill.

We are faced today with precisely the same problem we were faced with last week. I urged that the bill be defeated last week for the reasons then stated, and I again urge that this bill be defeated until we have before us a pure highway safety bill.

Mr. McCANN. Mr. Speaker, a few weeks ago when we debated 1242, I think the record will bear out that in that debate the bill was amended in which the fines are divided between the state and the local municipality, as the gentleman from Dauphin, Mr. Bowman, has stated.

But I believe also the record will show that at that time we said then, or rather I said then, and I repeat today, that we are not for speed mills in Pennsylvania and when all the fines go to the political subdivisions there are within this Commonwealth areas in which there is nothing more than speedtraps, fine mills, which do not have a darned thing to do with highway safety.

If ever anything needed to be corrected within the borders of this Commonwealth, it is the political subdivisions who operate speed mills and speed fines solely for the purpose of raising revenue that was never intended to be used in that manner.

House Bill 1242, by dividing the money, one-half of it to the state, and the original amount as now involved to the political subdivision doesn't take away a thing from the political subdivision but doesn't help to encourage the so-called speed trap areas that are in existence.

As I mentioned that day in the debate, I think you will find that the automobile clubs of Pennsylvania have listed at various times these speed areas in Pennsylvania where the fine mills are in existence.

If it were within my power, as the gentleman from Dauphin, Mr. Bowman, well knows, I would eliminate every single one of them if the legislation could be passed to do that, and I would do it just as fast as this House and the Senate could do that very thing.

This is a difference of opinion regarding that section of the bill which was an additional amendment to 1242. I submit in support of this measure as we debated it a few weeks ago, that this is one of the major reasons the fines are divided between the Commonwealth and the political subdivisions.

Mr. BOWMAN. Mr. Speaker, it is beyond my compre-

hension how we are going to do in this bill anything to discourage the deplorable conditions wherever they exist with respect to speed traps or fining mills.

The political subdivisions under this bill will get precisely the same amount of money that they are getting under present law, namely \$10. Now how this is going to discourage them from continuing to get their \$10 is a bit beyond my comprehension. It is true they will not get \$20 but they are still going to get the same \$10. If it was profitable to have a speed trap under existing law, it will be just as profitable to the political subdivisions to continue to have that speed trap. Agreeably, they will not make \$20, but they will still make the same \$10.

I would also call to the attention of this House the situation existing in Philadelphia County where the entire fine continues to go to the city and not to the state, another inequity which in my opinion should be corrected.

I would just like to add in conclusion that I am very favorable to correcting the situation created by speed traps, but I say again this bill and this occasion is not the time to do it.

Mr. McCANN. Would the gentleman from Dauphin, Mr. Bowman, consent to be interrogated?

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, did I understand the gentleman to say that one of his oppositions to this bill was the fact that the fines were divided?

Mr. BOWMAN. It is, yes, Mr. Speaker.

Mr. McCANN. If I understood the gentleman correctly, Mr. Speaker, then if the bill were amended so that the fines all went to the political subdivisions, would that be encouraging or hindering the speed mills in operation now?

Mr. BOWMAN. I have already said it might encourage it and would result, if they all went to the political subdivisions in an increased amount of money going to them. However, the mere fact that they are still getting \$10 is not going to discourage them from it.

Mr. McCANN. Mr. Speaker, would the gentleman from Dauphin, Mr. Bowman, consent to sponsor legislation with me that would remove all the money from those who operate such speed fine areas?

Mr. BOWMAN. I am not sure that I completely understand the question. However, I will say without reservation that I will sponsor any legislation which is designed to and which will result in the elimination of speed traps by any local police force or state police force, for that matter.

Mr. McCANN. Mr. Speaker, I believe the gentleman from Dauphin, Mr. Bowman, is first an attorney, second, he for years was one of the finest writers of legislation in the Legislative Reference Bureau, and I ask him with his wisdom to help me write that legislation and co-sponsor it.

Mr. BOWMAN. That is the type of statement one cannot answer.

I would be pleased to sit down with our learned Majority Leader. I would be pleased to study the problem with care with him, and with the aid of his very able assistance I think we could come up with some legislation which would help in this problem. I hereby unqualifiedly agree to cooperate with him.



The SPEAKER pro tempore. I am sure after we have all this mutual admiration, the two gentlemen can get together.

Mr. McCANN. Mr. Speaker, I thank the gentleman from Dauphin. May I then appeal to him publicly to support this legislation and to help me to write the other legislation which will do the very thing he talks about.

Mr. TOMPKINS. Mr. Speaker, I merely wish to elaborate on the statement made by the gentleman from Dauphin, Mr. Bowman.

Whether you have this bill or whether you try and rewrite a bill along the lines suggested by the Majority Leader, you still will have the inequities because of the constitutional provision with reference to all fines collected in the city of Philadelphia.

Article 5, Section 13, says "All fees, fines and penalties in said courts"—from magistrates' courts in Philadelphia—"shall be paid into the county treasury." Now you either will pay them all to the local subdivisions if you want to get uniformity in the 67 counties, or you are going to pass laws that will apply only to 66 counties and leave one county all the gravy.

Mr. McCANN. A few weeks ago the same gentleman from Cameron, Mr. Tompkins, brought up the same question. He is well qualified, and knows that I cannot change the Constitution in this bill. There is no question, for the record, as I stated then, that in the great city of Philadelphia all of the fines remain there in the future.

I say again that the question of Philadelphia's fine money is not the question involved in this legislation, that there are 66 other counties who are just as interested in legislation, and the Constitution does not provide that they receive all of this money in this manner.

I ask that the Members support this legislation and pass this package today.

Mr. FINEMAN. Mr. Speaker, will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, do I understand that if this bill were not amended so as to provide for the splitting of the fines, the gentleman would be in favor of the bill?

Mr. BOWMAN. Absolutely.

Mr. FINEMAN. And do I understand further that would be his position because this would then be a true safety responsibility bill?

Mr. BOWMAN. Correct.

Mr. FINEMAN. And do I understand further that the gentleman therefore subscribes to the view that increased fines are in fact a deterrent to speed violators?

Mr. BOWMAN. Certainly, to a certain extent.

Mr. FINEMAN. Now the gentleman also takes the position, does he not, that such things as fining mills are improper and should be discouraged?

Mr. BOWMAN. Indeed, I do.

Mr. FINEMAN. Is it not a fact that if we were to provide for all of the fine money to go to the local municipality that then would encourage fining mills?

Mr. BOWMAN. It would perhaps encourage them. If you think by leading me in cross-examination I will come around to conclusions you think I will agree with, you are wrong.

Mr. FINEMAN. Well, I do not know whether you will conclude as I want you to conclude, but thus far your answers have all been in the affirmative, and the Members will draw their own conclusions.

Mr. BOWMAN. That is correct.

Mr. FINEMAN. Now is it not a fact that these two positions you accept as being your positions are in fact in conflict with each other?

Mr. BOWMAN. Not at all; they are consistent.

Mr. FINEMAN. Well, if you were to provide that all the fine money went to the local municipalities, although you are labeling the bill as a safety responsibility bill, would you not be encouraging fining mills?

Mr. BOWMAN. To the extent that you are encouraging them to increase their activities, yes. But I have said before that the proper place to remedy that situation is not in a highway safety program bill; it is in other legislation to cure, if we can, and I think we can, this problem of speed traps and fining mills.

Mr. FINEMAN. Is it not a fact that this bill does not intend to cure that problem, but on the contrary does make the seriousness of the problem even greater than it is presently? In other words, if this bill had language in it that was specifically directed at the problem of fining mills, then I would say your position is correct, but this bill does not do that. All this bill seeks to accomplish is to prevent the greater growth of fining mills. Is that not so?

Mr. BOWMAN. That is so.

Mr. FINEMAN. Mr. Speaker, maybe this is false hope, but I think that interrogation developed what I wanted to develop.

I just want to add by way of closing and in reply to the gentleman from Cameron, Mr. Tompkins, that assuming for purposes of argument there is an inequity in that Philadelphia will get all of the fine money, I certainly would suggest to his thinking that there is hardly a piece of legislation that goes through this House that is equally applicable to all peoples. No matter how beneficial legislation may be for most people, in its application you will find instances where it is inequitable in its application. Now simply because there do exist inequities here and there, I say to you, assuming there is an inequity in that Philadelphia is getting all the fine money, that in itself is not sufficient reason why we should toss away a bill that seeks to save life and property.

Mr. AUKER. Mr. Speaker, I would like to interrogate one of the sponsors.

The SPEAKER pro tempore. Will one of the sponsors of the bill permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, if the gentleman will recall, there was a six man committee appointed in this House that worked on all these bills, three Democrats and three Republican Members. If the gentleman will recall, at the time of the debate Mr. Fineman answered most of the questions, I was wondering if he would consent to interrogate Mr. Fineman.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if the class of drivers known as juveniles, those under 18 years of age, would come under this Act, or any



other amendment to the Vehicle Code that we have passed this Session, for that matter?

Mr. FINEMAN. This bill says that any person violating the Act shall be subject to its provisions. I would assume that that includes juveniles.

Mr. AUKER. Would the gentleman tell me that he is not aware that juveniles are subject only to and come under the exclusive jurisdiction of the juvenile courts of this state?

Mr. FINEMAN. I do not agree with the gentleman that there is exclusive jurisdiction in the juvenile courts. A magistrate may hold a minor for the juvenile court. As a matter of fact that is generally the practice.

Mr. AUKER. That is all, Mr. Speaker.

I cannot agree with the gentleman from Philadelphia. One of the main objections I have had to the amendments to the Vehicle Code that have been offered here, this bill and other amendments that have been offered at this Session to the Vehicle Code, is that they do not cover juveniles under 18 years of age. There is a special bill in to do that. It has not been reported out of Committee. I have been reliably informed that the police departments all over this state are crying for the bill, but for some reason or other it is not reported out. That is one of the main reasons why I am voting against all of these bills, because it is not bringing under this so-called safety package a big class of violators.

Mr. McCANN. Mr. Speaker, for the record, and to clarify the information the gentleman from Blair, Mr. Auker, has given to the House, this is an amendment to the Vehicle Code. At the present time the law is a ten dollar fine for speeding, plus costs, and an operator of a vehicle who may be 16 years of age or 17, not having reached his 18th birthday, is brought before the justice of the peace or the magistrate and found guilty of the violation of speeding, is fined ten dollars and costs. This the Vehicle Code defines clearly. Now, if this is not so and is not correct, then all of the justices of the peace of Pennsylvania who have prosecuted in any way all of these licensed operators who were faced with this charge, the charge of speeding, which I believe used to be called 1002-A in the old Code, then were they illegally prosecuting all of these people on the charge of speeding and the fines they paid when they plead guilty to this charge.

This amendment to the Code I do not believe distinguishes that charge. The bill, or the proposed legislation, that the gentleman is talking about, of course, would place them in another category. I do not believe the House has acted on such legislation yet in this Session.

Mr. DENNISON. I would like permission to interrogate the Majority Leader, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN, I shall, Mr. Speaker.

Mr. DENNISON. Mr. Speaker, did I understand the gentleman correctly when he made the statement that he would be willing to co-sponsor legislation for the distribution of fines?

Mr. McCANN. Mr. Speaker, you understand me very clearly that I would be in favor of not only co-sponsoring, but asking the gentleman from Dauphin to assist me in writing a bill which would take away all the money from all the speed mills, every blessed cent. I am sure he is capable of helping write that legislation. I could only sign

my name as a sponsor, because I am not capable of writing it. But I certainly know what I would like to do, and hope this House would pass it.

Mr. DENNISON. I thank the gentleman. I would also like to ask the gentleman if he would lend the influence, of his office, of course, to a bill sponsored by the gentleman from Elk and myself, doing just the thing that you want done, and which was committed on August 3.

Mr. McCANN. Mr. Speaker, the bill that was recommended on August 3, was the bill that removed from political subdivisions all over the Commonwealth all of the fine money under various sections of the Code. This bill took away all of the money whether there was any speed mill involved at all. It removed completely all the money.

There are many areas, as the gentleman from Jefferson well knows, where there are no fine mills in operation; perhaps in his county there are none. But, if you look at the AAA list you will find many of them. I would like to know how we can write legislation that when they do operate these speed mills, the money could be taken away. It is not the intent to remove instantly all of the money, as was outlined in the bill that was recommended, sir.

Mr. DENNISON. Does the gentleman have a better suggestion for controlling speed traps?

Mr. McCANN. You know quite well, Mr. Speaker, that I do not have any. I do not want to hurt those who do an honest, efficient job, but I would like to eliminate the speed mill so fast it would not be funny. I need the advice and sound legislative help of the gentleman who can draft that legislation. The gentleman's bill removed everything regardless.

Mr. DENNISON. It removed the fines in certain sections where the enforcement was primarily the responsibility of the state.

Mr. McCANN. Yes, the bill exactly that. It removed certain sections of fines under the Motor Code, and shifted the fine money from the political subdivision to the Commonwealth of Pennsylvania.

Mr. DENNISON. Well then, would the gentleman be willing to report that bill with proper amendments to accomplish the purpose which he . . .

The SPEAKER pro tempore. The gentleman is out of order. The bill before the House is House Bill 1242. Printer's No. 1130.

Mr. McCANN. Mr. Speaker, in discussing . . .

The SPEAKER pro tempore. I believe both gentlemen are out of order in the interrogation and also in the answers.

Mr. McCANN. Mr. Speaker, perhaps we were both out of order, and I will certainly concur that we got off the subject, but just so the gentleman will have no misunderstanding, since we are discussing House Bill 1242, and the question has come up about 1242, I would be most pleased to report the bill from that committee that would help 1242, that would do that very thing.

Mr. DENNISON. I thank the gentleman.

Mr. FINEMAN. Mr. Speaker, I just want to comment very briefly on the nature of the objection that was raised by my friend, Mr. Auker.

His objection, if you will recall, went to the fact that the bill did not encompass the violations of this Act by minors.

His objection reminded me of a funny incident that happened in this House in 1955. In that year I had sponsored a bill which was at first statewide in its application.



Because of some objection that had been conveyed to me by Members on the other side I amended the bill so as to restrict it in its application to cities of the first class. When the bill came up on the floor for debate, one of my learned colleagues from Allegheny County got up and said I am against this bill. I asked him on interrogation, why are you against the bill? He said if this bill is good enough for Philadelphia it is good enough for the whole state.

That is exactly the class into which the objection that Mr. Aufer raises fall into. If in fact the bill has merit and if the bill is taking us up the right street by way of curing this flagrant violation of our speeding laws, then merely because it does not go far enough, merely because it does not travel the whole road, is no reason to cut down this bill. If it is a step in the right direction, let us put it on our statute books and perhaps we can bring in these flagrant violators who fall within the 17 and 18 year bracket.

Mr. PETROSKY. Mr. Speaker, just a word on the subject here. It was my understanding, of course, and I certainly would not want the public to feel that this statement that Mr. Aufer made is representative, and I am trying to signify here the impact of that statement in the event it would get out into public print, on the drivers between the ages of 16 and 18, in the event that they felt they could not be prosecuted for violation of the vehicle code because of being juveniles. I am just wondering whether they would not run amuck on our highways. It is my personal observation and in being advised by legal men, not of course on the floor of the House, that juveniles are prosecuted and are arraigned before magistrates under the Vehicle Code.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. TOMPKINS, and HOCKER.

The roll was verified and was as follows:

## YEAS—105

Anderson,	Gallagher,	Miller, B. Z.,	Riley,
Arlene,	Garlock,	Mills,	Rovansek,
Balthaser,	Goldstein,	Monroe,	Rudisill,
Boles,	Hamilton,	Muldowney,	Sakulsky,
Bonner,	Holt,	Mullen,	Scarcelli,
Branca,	Irvia,	Munley,	Schaaf,
Breth,	Jenkins,	Murphy, A. J., Jr.,	Schuster,
Burns,	Jim,	Murray, J. J.,	Schwartz,
Capano,	Jones, F. R.,	Musto,	Sherman,
Capitolo,	Kamyk,	Needham,	Shupnik,
Cianfrani,	Kornick,	Nelson,	Silverman,
Cioffi,	Kovolenko,	O'Donnell, J. A.,	Snider,
Clarke,	Lamb,	O'Donnell, J. P.,	Stank,
Comer,	Lee, A. M.,	O'Neill,	Stewart,
Crossin,	Leonard,	Parlante,	Stone,
Dennis,	Limper,	Pashley,	Trusio,
Devlin,	Lopresti,	Perry, H. H.,	Varallo,
Dougherty,	Luigard,	Perry, P. E.,	Verona,
Elberg,	Lutty,	Petrosky,	Walsh,
Farabaugh,	McCann,	Polaski,	Wargo,
Filo,	McDonald,	Polen,	Welsh,
Fineman,	McKeever,	Prendergast,	Wheeler,
Floyd,	McLaughlin,	Reibman,	Yatron,
Foerster,	Macmer,	Reidenbach,	Yetter,
Frank,	Mahan,	Renwick,	Andrews,
Frascella,	Maxwell,	Rigby,	Speaker
Galley,	Meholichick,		

## NAYES—81

Agnew,	Fulmer,	Kooker,	Royer,
Ashton,	George,	Korns,	Seltzer,
Auker,	Gibb,	Kubitsky,	Steckel,
Barton,	Goodrich,	Lee, K. B.,	Stevens,
Bower,	Gramlich,	Light,	Stimmel,

Bowman,	Guthrie,	Lippincott,	Stoner,
Brenninger,	Heffner,	McCandless,	Stroup,
Buchanan,	Helm,	McInroy,	Tompkins,
Davis,	Henzel,	Magee,	Ujohal,
Dengler,	Hocker,	Markley,	Wall,
Dennison,	Holliday,	Merry,	Weidner,
Donahue,	Horst,	Miller, H. G.,	Wescott,
Donaldson,	Isaacs,	Murphy, P. J.,	Williams, A. D., Jr.,
Down,	Johnson, A. W.,	Murray, H. P.,	Williams, E. S.,
Edwards,	Johnson, R.,	Naugle,	Willard,
Eshback,	Jones, T. H. W.,	O'Dell,	Willaredt,
Eshleman,	Jump,	Odorisio,	Wilt,
Ewing,	Kelser,	Ogilvie,	Worley,
Fetterolf,	Kernaghan,	Price,	Wynd,
Flynn,	Kessler,	Pursley,	Zimmerman,
Fox,			

## NOT VOTING—22

Bell,	Gelfand,	Moran,	Taylor,
Blair,	Heavey,	Murray, P. G.,	Thompson,
Boris,	Kee,	Snare,	Varner,
Brown,	Knecht,	Strausser,	Whittaker,
Cooper,	McCormack,	Sullivan,	Wood,
Curwood,	Mihm,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1405 on page 10 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House Bill No. 1405, entitled:

An Act amending the act of April 6, 1951 (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed \* \* \*" authorizing legal action to restrain or prohibit the establishing conducting or operating of institutions subject to supervision by such departments in violation of rules and regulations.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. BOIES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BOIES asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 11, by inserting after "of" where it appears the first time "Public"

Amend Sec. 1 (Sec. 1), page 3, line 17, by inserting after "prescribed" "in accordance with law"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Armstrong for presiding.

## BILLS ON THIRD READING

### BILLS PASSED OVER

There being no objection

House Bill No. 56, Printer's No. 1293

House Bill No. 133, Printer's No. 1195

House Bill No. 268, Printer's No. 1123

House Bill No. 309, Printer's No. 1197 and

House Bill No. 325, Printer's No. 999

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 559, entitled:

An Act amending "The Penal Code" approved June 24, 1993 (P. L. 872) changing provisions and penalties with respect to unlawful acts concerning traffic and safety signs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—191

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McDonald,	Rovanssek,
Arlene,	Gallagher,	McInroy,	Royer,
Ashton,	Garlock,	McKeever,	Rudisill,
Auker,	George,	McLaughlin,	Sakulsky,
Balthaser,	Gibb,	Machmer,	Scarcelli,
Barton,	Goldstein,	Magee,	Schaaf,
Blair,	Goodrich,	Mahan,	Schuster,
Boles,	Gramlich,	Markley,	Schwartz,
Bonner,	Guthrie,	Maxwell,	Seltzer,
Bower,	Hamilton,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Breth,	Hocker,	Miller, H. G.,	Stank,
Buchanan,	Holliday,	Mills,	Steckel,
Burns,	Holt,	Monroe,	Stevens,
Capano,	Horst,	Muldrowney,	Stewart,
Capitolo,	Irviss,	Mullen,	Stimmel,
Cianfrani,	Isaacs,	Munley,	Stone,
Cioffi,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusilo,
Davis,	Jones, F. R.,	Musto,	Ujobai,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Keiser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.	Wargo,
Dougherty,	Knecht,	Odorisio,	Weidner,
Down,	Kooker,	Oglvie,	Welsh,
Edwards,	Kornick,	O'Neil,	Wescott,
Ellberg,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wilt,
Fineman,	Light,	Prendergast,	Worley,
Floyd,	Limper,	Price,	Wynd,

Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,

Lippincott,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,

Pursley,  
Reibman,  
Reidenbach,  
Renwick,  
Rigby,

Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

NAYS—0

NOT VOTING—17

Bell,  
Boris,  
Brown,  
Cooper,  
Curwood,

Geifand,  
Heavey,  
Kee,  
McCormack,

Moran,  
Murray, P. G.,  
Snare,  
Strausser,

Sullivan,  
Taylor,  
Thompson,  
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 648, entitled:

An Act amending "The Divorce Law" approved May 2, 1929 (P. L. 1237) enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

On the question,

Will the House agree to the bill on third reading?

Mr. A. J. MURPHY asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 2 (Sec. 19), page 8, line 4 by inserting after "officers" "at an annual salary of not less than seven thousand five hundred dollars (\$7500)"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Washington, Mr. Murphy, for they would place into this particular piece of legislation a statutory minimum ceiling on payment of salary for a specific office and within the bill and there is no part of this piece of legislation which defines any salary.

For that reason, in keeping this Joint State Government package, 648 and 649, I rise to oppose this particular amendment.

Mr. LIPPINCOTT. Mr. Speaker, I thank the Majority Leader and I would also ask the Members on this side of the aisle to vote against the amendment.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 15), page 2, line 18, by striking out "the" where it appears the third time and inserting: "[or] the"



Amend Sec. 1 (Sec. 15), page 2, line 20, by striking out "I" and inserting: "I"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

House Bill No. 649, Printer's No. 1296 and

House Bill No. 740, Printer's No. 199

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 748, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) making it a crime to sell or offer for sale certain home appliances without proper identification.

On the question,

Will the House agree to the bill on third reading?

Messrs. TRUSIO and A. J. MURPHY asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 699.10), page 2, line 11 by striking out "of" where it appears the first time and inserting: "not exceeding"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

House Bill No. 757, Printer's No. 1277 and

House Bill No. 893, Printer's No. 1273;

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 900, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017) including neglected children within the powers and duties of the local authorities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—191

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McDonald,	Rovanssek,
Arlene,	Gallagher,	McInroy,	Royer,
Ashton,	Garlock,	McKeever,	Rudisill,
Auker,	George,	McLaughlin,	Sakulsky,
Balthaser,	Gibb,	Machmer,	Scarcelli,
Barton,	Goldstein,	Magee,	Schaaf,
Blair,	Goodrich,	Mahan,	Schuster,
Boles,	Gramlich,	Markley,	Schwartz,
Bonner,	Guthrie,	Maxwell,	Seltzer,
Bower,	Hamilton,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Brett,	Hocker,	Miller, H. G.,	Stank,
Buchanan,	Holliday,	Mills,	Steckel,
Burns,	Holt,	Monroe,	Stevens,
Capano,	Horst,	Muldowney,	Stewart,
Capitolo,	Irviss,	Mullen,	Stimmel,
Cianfrani,	Isaacs,	Munley,	Stone,
Cioffi,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobai,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Keiser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.	Wargo,
Dougherty,	Knecht,	Odoriso,	Weidner,
Down,	Kooker,	Ogilvie,	Welsh,
Edwards,	Kornick,	O'Neil,	Wescott,
Eilberg,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wilt,
Fineman,	Light,	Prendergast,	Worley,
Floyd,	Limper,	Price,	Wynd,
Flynn,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Fox,	Luigard,	Reldenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
Frascella,	McCandless,	Rigby,	Speaker

#### NAYS—0

#### NOT VOTING—17

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, P. G.,	Taylor,
Brown,	Kee,	Snare,	Thompson,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 953, Printer's No. 1083; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1059, entitled:

An Act relating to licensing of persons engaged in plumbing creating a State Plumbing Board in the De-

partment of Public Instruction prescribing its powers and duties and those of local governments with respect thereto.

On the question,

Will the House agree to the bill on third reading?

Messrs. MAXWELL and AGNEW asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 8, page 9, line 3, by inserting after "home": This act shall not apply to any person regularly employed on a wage or salary basis (1) to maintain, but not install or remove, water or sewage facilities on the premises of his employer exclusively; (2) by a publicly or privately owned public utility to install, repair or remove facilities owned by the employer and used in furnishing public utility service; or (3) to install new water-heating devices."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. McCANN. These amendments are the same type amendments as to 1058, and I would request that the House take the same roll call as on amendments to 1058. The two are companion bills.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. J. P. O'DONNELL and MAXWELL and were as follows:

#### YEAS—95

Agnew,	Fox,	McCandless,	Reidenbach,
Anderson,	Fulmer,	McCann,	Renwick,
Auker,	Galley,	McInroy,	Rigby,
Barton,	Gallagher,	Magee,	Royer,
Boies,	Garlock,	Mahan,	Rudisill,
Bonner,	George,	Markley,	Sakulsky,
Bowman,	Gibb,	Maxwell,	Schaaf,
Brenninger,	Goldstein,	Miller, H. G.,	Seltzer,
Breth,	Goodrich,	Mills,	Shupnik,
Buchanan,	Helm,	Munley,	Stank,
Cloff,	Henzel,	Murphy, P. J.,	Steckel,
Comer,	Holt,	Murray, H. P.,	Stimmel,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Stoner,
Dengler,	Johnson, R.,	Needham,	Stroup,
Dennison,	Jones, F. R.,	Nelson,	Wargo,
Donahue,	Jones, T. H. W.,	O'Dell,	Weidner,
Donaldson,	Jump,	Ogilvie,	Williams, E. S.,
Dougherty,	Kelser,	O'Neil,	Willaredt,
Down,	Knecht,	Pashley,	Wilt,
Eshback,	Korns,	Perry, H. H.,	Worley,
Eshleman,	Kubitsky,	Prendergast,	Wynd,
Farabaugh,	Lee, K. B.,	Price,	Yetter,
Fetterolf,	Light,	Pursley,	Andrews,
Fineman,	Lippincott,	Reibman,	Speaker

#### NAYS—86

Ashton,	Guthrie,	McKeever,	Schuster,
Balthaser,	Hamilton,	McLaughlin,	Schwartz,
Blair,	Hocker,	Machmer,	Sherman,
Bower,	Holliday,	Meholchick,	Silverman,
Branca,	Horst,	Merry,	Snider,
Burns,	Irvins,	Miller, B. Z.,	Stevens,
Capano,	Isaacs,	Muldowney,	Stewart,
Capitolo,	Jenkins,	Mullen,	Stone,
Cianfrani,	Jim,	Murphy, A. J., Jr.	Tompkins,
Clarke,	Kamyk,	Musto,	Trusio,
Davis,	Kernaghan,	Naugle,	Ujobai,
Dennis,	Kooker,	O'Donnell, J. A.,	Varner,
Devlin,	Kornick,	O'Donnell, J. P.	Verona,
Edwards,	Kovolenko,	Odorisio,	Wall,
Ewing,	Lamb,	Parlante,	Walsh,
Filo,	Lee, A. M.,	Perry, P. E.,	Welsh,
Floyd,	Leonard,	Petrosky,	Wheeler,
Flynn,	Limper,	Polaski,	Williams, A.D., Jr.,
Foerster,	Lopresti,	Polen,	Willard,
Frank,	Luigard,	Rovansek,	Yatron,
Frascella,	Lutty,	Scarcelli,	Zimmerman,
Gramlich,	McDonald,		

#### NOT VOTING—27

Arlene,	Gelfand,	Monroe,	Taylor,
Bell,	Heavey,	Moran,	Thompson,
Boris,	Heffner,	Murray, P. G.,	Varallo,
Brown,	Kee,	Riley,	Wescott,
Cooper,	Kessler,	Snare,	Whittaker,
Curwood,	McCormack,	Strausser,	Wood,
Eilberg,	Mihm,	Sullivan,	

So the question was determined in the affirmative and the amendments were agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for infants providing for the licensing thereof \* \* \* operation and conduct thereof by the Department of Welfare \* \* \*" re-defining "boarding houses for infants".

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—191

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McDonald,	Rovansek,
Arlene,	Gallagher,	McInroy,	Royer,
Ashton,	Garlock,	McKeever,	Rudisill,
Auker,	George,	McLaughlin,	Sakulsky,
Balthaser,	Gibb,	Machmer,	Scarcelli,
Barton,	Goldstein,	Magee,	Schaaf,
Blair,	Goodrich,	Mahan,	Schuster,
Boies,	Gramlich,	Markley,	Schwartz,
Bonner,	Guthrie,	Maxwell,	Seltzer,
Bower,	Hamilton,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Breth,	Hocker,	Miller, H. G.,	Stank,
Buchanan,	Holliday,	Mills,	Steckel,
Burns,	Holt,	Monroe,	Stevens,
Capano,	Horst,	Muldowney,	Stewart,
Capitolo,	Irvins,	Mullen,	Stimmel,
Cianfrani,	Isaacs,	Munley,	Stone,
Cloff,	Jenkins,	Murphy, A. J., Jr.	Stoner,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobai,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kelser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.	Wargo,
Dougherty,	Knecht,	Odorisio,	Weidner,
Down,	Kooker,	Ogilvie,	Welsh,
Edwards,	Kornick,	O'Neil,	Wescott,
Eilberg,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A.D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wilt,
Fineman,	Light,	Prendergast,	Worley,
Floyd,	Limper,	Price,	Wynd,
Flynn,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Frank,	Luigard,	Reidenbach,	Zimmerman,
Frascella,	Lutty,	Renwick,	Andrews,
	McCandless,	Rigby,	Speaker

#### NAYS—0

#### NOT VOTING—17

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, P. G.,	Taylor,
Brown,	Kee,	Snare,	Thompson,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,			



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof \* \* \* and prescribing penalties" redefining boarding houses for children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McDonald,	Rovansek,
Arlene,	Gallagher,	McInroy,	Royer,
Ashton,	Garlock,	McKeever,	Rudisill,
Auker,	George,	McLaughlin,	Sakulsky,
Balthaser,	Gibb,	Machmer,	Scarcelli,
Barton,	Goldstein,	Magee,	Schaaf,
Blair,	Goodrich,	Mahan,	Schuster,
Boles,	Gramlich,	Markley,	Schwartz,
Bonner,	Guthrie,	Maxwell,	Seltzer,
Bower,	Hamilton,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Breth,	Hocker,	Miller, H. G.,	Stank,
Buchanan,	Holliday,	Mills,	Steckel,
Burns,	Holt,	Monroe,	Stevens,
Capano,	Horst,	Muldowney,	Stewart,
Capitolo,	Irvis,	Mullen,	Stimmel,
Cianfrani,	Isaacs,	Munley,	Stone,
Cioffi,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Keiser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.,	Wargo,
Dougherty,	Knecht,	Odorisio,	Weidner,
Down,	Kooker,	Ogilvie,	Welsh,
Edwards,	Kornick,	O'Neil,	Wescott,
Ellberg,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wilt,
Fineman,	Light,	Prendergast,	Worley,
Floyd,	Limper,	Price,	Wynd,
Flynn,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Fox,	Lulgard,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
Frascella,	McCandless,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—17

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, P. G.,	Taylor,
Brown,	Kee,	Snare,	Thompson,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1148, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) providing for compensation for disability caused by exposure to radiation hazards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McDonald,	Rovansek,
Arlene,	Gallagher,	McInroy,	Royer,
Ashton,	Garlock,	McKeever,	Rudisill,
Auker,	George,	McLaughlin,	Sakulsky,
Balthaser,	Gibb,	Machmer,	Scarcelli,
Barton,	Goldstein,	Magee,	Schaaf,
Blair,	Goodrich,	Mahan,	Schuster,
Boles,	Gramlich,	Markley,	Schwartz,
Bonner,	Guthrie,	Maxwell,	Seltzer,
Bower,	Hamilton,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Breth,	Hocker,	Miller, H. G.,	Stank,
Buchanan,	Holliday,	Mills,	Steckel,
Burns,	Holt,	Monroe,	Stevens,
Capano,	Horst,	Muldowney,	Stewart,
Capitolo,	Irvis,	Mullen,	Stimmel,
Cianfrani,	Isaacs,	Munley,	Stone,
Cioffi,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Keiser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.,	Wargo,
Dougherty,	Knecht,	Odorisio,	Weidner,
Down,	Kooker,	Ogilvie,	Welsh,
Edwards,	Kornick,	O'Neil,	Wescott,
Ellberg,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wilt,
Fineman,	Light,	Prendergast,	Worley,
Floyd,	Limper,	Price,	Wynd,
Flynn,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Fox,	Lulgard,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
Frascella,	McCandless,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—17

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, P. G.,	Taylor,
Brown,	Kee,	Snare,	Thompson,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,			

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection

House Bill No. 1195, Printer's No. 1268; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199) entitled "An act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws" extending the provisions thereof to include political subdivisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—191

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Gailey,	McDonald,	Rovansek,
Arlene,	Gallagher,	McInroy,	Royer,
Ashton,	Garlock,	McKeever,	Rudisill,
Auker,	George,	McLaughlin,	Sakulsky,
Balthaser,	Gibb,	Machmer,	Scarcell,
Barton,	Goldstein,	Magee,	Schaaf,
Blair,	Goodrich,	Mahan,	Schuster,
Boles,	Gramlich,	Markley,	Schwartz,
Bonner,	Guthrie,	Maxwell,	Seltzer,
Bower,	Hamilton,	Meholchick,	Sherman,
Bowman,	Heffner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Breth,	Hocker,	Miller, H. G.,	Stank,
Buchanan,	Holliday,	Mills,	Steckel,
Burns,	Holt,	Monroe,	Stevens,
Capano,	Horst,	Muldowney,	Stewart,
Capitolo,	Irviss,	Mullen,	Stimmel,
Cianfrani,	Isaacs,	Munley,	Stone,
Cioffi,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, R.,	Murray, J. J.,	Trusio,
Davis,	Jones, F. E.,	Musto,	Ujobai,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varnier,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kelser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.,	Wargo,
Dougherty,	Knecht,	O'Dorisio,	Weidner,
Down,	Kooker,	Ogilvie,	Welsh,
Edwards,	Kornick,	O'Neill,	Wescott,
Ellberg,	Korns,	Parlante,	Wheeler,
Eshback,	Kovolenko,	Pashley,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Wilt,
Fineman,	Light,	Prendergast,	Worley,
Floyd,	Limper,	Price,	Wynd,
Flynn,	Lippincott,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Fox,	Luigard,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
Frascella,	McCandless,	Rigby,	Speaker

### NAYS—0

### NOT VOTING—17

Bell,	Gelfand,	Moran,	Sullivan,
Boris,	Heavey,	Murray, P. G.,	Taylor,
Brown,	Kee,	Snare,	Thompson,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1336, entitled:

An Act providing for the issuing administration enforcement and termination of marketing agreements and orders on agricultural commodities providing for the creation and operation of the Pennsylvania Agricultural Marketing Commission imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of agreements and orders and providing for the imposition and collection of fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—139

Anderson,	Gailey,	McCann,	Rigby,
Arlene,	Gallagher,	McDonald,	Riley,
Blair,	Garlock,	McKeever,	Rovansek,
Boles,	Gibb,	McLaughlin,	Royer,
Bonner,	Goldstein,	Maxwell,	Rudisill,
Bower,	Goodrich,	Meholchick,	Sakulsky,
Branca,	Guthrie,	Mihm,	Scarcell,
Brenninger,	Hamilton,	Mills,	Schaaf,
Breth,	Heffner,	Monroe,	Schuster,
Buchanan,	Helm,	Muldowney,	Schwartz,
Burns,	Henzel,	Mullen,	Sherman,
Capano,	Holt,	Munley,	Shupnik,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Silverman,
Cianfrani,	Irviss,	Murray, J. J.,	Snider,
Cioffi,	Isaacs,	Musto,	Stank,
Clarke,	Jenkins,	Naugle,	Stevens,
Comer,	Jim,	Needham,	Stimmel,
Crossin,	Jones, F. R.,	Nelson,	Stone,
Dengler,	Jones, T. H. W.,	O'Dell,	Stroup,
Dennis,	Jump,	O'Donnell, J. A.,	Trusio,
Dennison,	Kamyk,	O'Donnell, J. P.,	Varallo,
Devlin,	Kernaghan,	O'Dorisio,	Verona,
Donahue,	Knecht,	O'Neill,	Walsh,
Dougherty,	Kooker,	Parlante,	Wargo,
Edwards,	Kornick,	Pashley,	Welsh,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshleman,	Kovolenko,	Perry, P. E.,	Whittaker,
Farabaugh,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Filo,	Lamb,	Polaski,	Willaredt,
Fineman,	Leonard,	Polen,	Worley,
Floyd,	Light,	Prendergast,	Yatron,
Flynn,	Limper,	Price,	Yetter,
Foerster,	Lopresti,	Reibman,	Zimmerman,
Frank,	Luigard,	Reidenbach,	Andrews,
Frascella,	Lutty,	Renwick,	Speaker

### NAYS—52

Agnew,	Fulmer,	McInroy,	Steckel,
Ashton,	George,	Machmer,	Stewart,
Auker,	Gramlich,	Magee,	Stoner,
Balthaser,	Hocker,	Mahan,	Tompkins,
Barton,	Holliday,	Markley,	Ujobai,
Bowman,	Johnson, A. W.,	Merry,	Varnier,
Davis,	Johnson, R.,	Miller, B. Z.,	Wall,
Donaldson,	Kelser,	Miller, H. G.,	Weidner,
Down,	Kessler,	Murphy, P. J.,	Wescott,
Eshback,	Lee, A. M.,	Murray, H. P.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Ogilvie,	Willard,
Fetterolf,	Lippincott,	Pursley,	Wilt,
Fox,	McCandless,	Seltzer,	Wynd,



## NOT VOTING—17

Bell,  
Boris,  
Brown,  
Cooper,  
Curwood,

Gelfand,  
Heavy,  
Kee,  
McCormack,

Moran,  
Murray, P. G.,  
Snare,  
Strausser,

Sullivan,  
Taylor,  
Thompson,  
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1450, Printer's No. 1286;  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1528, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. ) No. 32 providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 2 (Sec. 102), page 4, line 2 by inserting after "usable" "and used"

Amend Sec. 2 (Sec. 102), page 4, line 4 by inserting after "wagons" "Any such motor vehicle used exclusively as a passenger vehicle shall for all purposes be deemed to be a passenger motor vehicle."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. LIPPINCOTT. Mr. Speaker, the bill as presently drawn creates a new class of motor vehicle registration known as a suburban motor vehicle class and that class is created whether or not this suburban motor vehicle is a station wagon and also I believe other types of vehicles which I will point out when the bill is considered.

This provides that all station wagons must be registered and pay a 20 percent additional license fee above that for passenger vehicles, whether or not the station wagon is used for a dual purpose, that is, for commercial and passenger, or whether or not it is used only for passenger purposes. This amendment would continue the class created in this bill of suburban motor vehicle, which is a vehicle used for a dual commercial and passenger purpose, but the amendment would also provide that any passenger station wagon used exclusively for passengers will pay a passenger registration fee.

I believe this amendment will correct a number of the evils or defects in the present law that the bill tries to correct. It will correct it in this way. It will provide that a person, for example, a travelling salesman, who may want to use his car to haul his wares around during

the week and may want to use it for his family on week ends, will be able to get a suburban plate. That means that he will then be able to drive at the ordinary passenger speed limits; he will be able to go on the toll roads; he will not be subject to a commercial inspection and so on. In other words, that will be a dual-purpose vehicle used for a dual purpose.

However, for a person who has a station wagon, and I believe we will see a great number of them in Pennsylvania—I believe 15 percent of all motor vehicles being manufactured today are station wagons—it will provide that persons who use them for their own private personal use in hauling their children around, I might add, to a great extent, will only have to pay the same license fee that their neighbor pays who may have a Cadillac. It will not make that person pay an additional \$2.00. I think the bill will create a classification that is fair and reasonable and will correct the evils that are trying to be corrected. I ask all the Members to support this amendment.

Mr. McCANN. Mr. Speaker, the amendments offered by the gentleman from Delaware, Mr. Lippincott, of course, do precisely what he explained. The bill as presently on the calendar does the very same thing he is talking about, except the automobile part. It creates a suburban class. Therefore, while this class pays \$2.00 more than the ordinary license fee, those who are now in a commercial class would pay the same fee of \$12.00. Therefore, they would not be subject to commercial inspections, would not have to abide by commercial rulings as now exist regarding speed limits, would fall into the passenger car speed limits which are used in business, for example, or for dual purpose, if you want to put it that way.

In this bill, the fee would be \$2.00 more than whatever the license fee may be at any time. It is now \$10.00, for example; it would be \$12.00, or \$2.00 more. There is no question, as the gentleman so graciously asserted, that a man who owns a Cadillac only pays \$10.00 in Pennsylvania, and perhaps if he owned a little Ford or Chevrolet station wagon, which would be suburban, he would pay \$12.00. That is right.

In trying to find uniformity in a situation I rise to oppose the amendments offered by the gentleman from Delaware, Mr. Lippincott, in which this bill would place them in a category and they would help to pay within the fund. I believe it is right about 15 percent or thereabouts are station wagons in the class that would be the suburban class in the Commonwealth of Pennsylvania. Therefore they would pay \$2.00 more than they pay now for their present license. I ask that we oppose the amendments offered by the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, just a brief word to say that I believe in 1958 there were approximately 25,000 station wagons that were registered in the commercial class, and approximately 400,000 that were not.

What you are doing, if this amendment is not carried, will be to include in this bill, as it is presently drawn, approximately 400,000, although there are no absolutely accurate figures available, approximately 400,000 passenger station wagons, which I say is a very unfair thing to the average person who does not use his passenger station wagon for commercial purposes.



The SPEAKER. How does the gentleman from Delaware desire that this shall be determined; by division? or roll call?

Mr. LIPPINCOTT. Mr. Speaker, I do not want to prolong this but I would suggest that we have a division and see how close it is.

On the question recurring,

Will the House agree to the amendments?

A division was called for, more than a majority of the Members having voted in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. Speaker, I would like to interrogate one of the sponsors of the bill or the Majority Leader.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I shall be pleased to be interrogated.

Mr. LIPPINCOTT. Mr. Speaker, I call the gentleman's attention to page 4 of the bill where it defines a suburban motor vehicle and states, "Every passenger motor vehicle with a convertible or interchangeable body usable for both passenger and commercial purposes."

I would like to ask the gentleman if this is intended to include the type of vehicle which is registered now as a half-ton truck, which has a front seat finished as a passenger vehicle and is used as a passenger vehicle and as a commercial vehicle?

Mr. McCANN. Mr. Speaker, the answer is, no.

Mr. LIPPINCOTT. Does the gentleman not agree that under that definition which I read that would be included as a suburban vehicle?

Mr. McCANN. Mr. Speaker, I believe that the 1958 models when they first came out were the type of vehicle that the gentleman is speaking about, which is very popular for small stores and in certain phases of small business. When we inquired this definition pertains to what you and I commonly call a station wagon, and I believe that we cannot disagree that a station wagon covers the vehicle that we know to be that type of vehicle as defined and not the truck that the gentleman is speaking of, the little half-ton commercial now licensed as a half-ton commercial vehicle.

Mr. LIPPINCOTT. I will not prolong the interrogation on that point.

I will ask the gentleman another question and that is, whether this bill as presently drawn would require the owners of the very small station wagons that are now coming on the market, such as the new ones being put out by the Big Three and the small foreign station wagons to be registered as suburban vehicles would it require them to pay an extra \$2?

Mr. McCANN. Mr. Speaker, if the new vehicles and the foreign vehicles about which the gentleman is talking will be a small type station wagon, the answer is, yes.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I will speak very briefly on this.

I covered most of the points I wanted to make when I debated the amendments. I think this a very unfair

bill in discriminating against the average person who uses the station wagon for passenger purposes. According to the figures that have been given to me, there were in 1958, 3,506,224 motor vehicles registered in Pennsylvania, and that figure is probably higher today.

At that time, in 1958, the latest figures of the Department of Revenue had indicated that approximately 15 percent of the vehicles being manufactured today were station wagons. What that means is this: it means that under this bill some 425,935 vehicles in Pennsylvania are station wagons, and that is flexible. It may be more or it may be less. Of those, only 25,000 are registered commercially. So that in round figures this will mean an increase per year of \$800,000 in license tags or \$1,600,000 for the biennium. And that money is going to be paid, as I have indicated, by people who today use these vehicles for private passenger purposes. I think it is very unfair.

The way to correct the situation, I think, is by the amendments that I suggested, and also by other amendments to the Motor Vehicle Code which will permit station wagons to use the roads that other vehicles use even though they are registered commercially.

I think it is a very unfair thing to the people back home who in a great many instances are people with fairly large families who buy these vehicles to transport their children and families, to make them pay 20 percent more than somebody else who does not have a station wagon.

I agree that there are certain difficulties that should be corrected, but I say the bill is a discriminatory way to do it. It seems to me that it would be very difficult back home to face your neighbor who has a station wagon and several children, who does not use it commercially and tell him that he must pay \$2 more than anybody else.

I ask all the Members to vote against this bill.

Mr. McCANN. Mr. Speaker, I am sure that the gentleman from Delaware, Mr. Lippincott, is also aware that there are 25,000 now licensed in the commercial class. I think all he would have to do is to check into his own community or mine and find that there are hundreds of them who by right should be licensed as commercial, using the vehicle in both ways, connected somewhat partly with their business, very, very small business, and also hauling their families.

The main thing that this does is to eliminate confusion. It helps these small people in the small industries, small businesses, and these are mighty small people, and also those people who own station wagons who are not in business. It places them all in the suburban class, which gives them all the same rights at an increase of \$2.

I think this is good legislation and we should all support it.

Mr. HOLLIDAY. I should like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. HOLLIDAY. Mr. Speaker, is it not true that you are penalizing the station wagon owner when I can load anything I want in my private car, as a salesman or as a person?

Mr. McCANN. Mr. Speaker, what the gentleman says is true. He can haul anything in his automobile that he



can possibly haul. We will say he is a doctor or some type of businessman or a tradesman with some of the tools he may haul in his truck—

Mr. HOLLIDAY. Say I am a grocer or say I am a hardware dealer delivering supplies from my store in my car.

Mr. McCANN. Mr. Speaker, what the gentleman says is true. He can deliver groceries or any other item in his automobile and I am sure that many do.

Mr. HOLLIDAY. Then, why penalize the station wagon owner because he owns a station wagon, unless it is proven it is purely for commercial purposes?

Mr. McCANN. This is not going to penalize anyone. In a way this will help to eliminate confusion. You will admit that they can haul a little more in a station wagon than can be hauled in their car.

Mr. HOLLIDAY. Well, that may be true, but I do not think the volume of merchandise or whatever is put in the car is particularly important. It is the fact that you are using your pleasure car the same as you are using the station wagon, for commercial purposes, you might say.

Mr. McCANN. Mr. Speaker, I am sure the gentleman is aware that many automobiles are used almost entirely, if you want to call it that, for commercial purposes. We will say 90 percent of the time they are used for commercial purpose and, of course, they are not subject to any type of commercial license, just the automobile license plate.

Mr. HOLLIDAY. Then why penalize the station wagon?

Mr. McCANN. Mr. Speaker, again I repeat, we are not trying to penalize the station wagon owners of Pennsylvania, only trying to eliminate confusion and I believe this will be helpful to an awful lot of people in Pennsylvania.

Mr. HOLLIDAY. Mr. Speaker, could you amend the bill to make it only cover station wagons that are used commercially, strictly commercial? Could you not amend the bill so as to make it apply only to station wagons that are used especially in commercial work?

Mr. McCANN. Mr. Speaker, that is just what we defeated in the amendments a minute ago.

Mr. A. M. LEE. Mr. Speaker, the gentleman from Greene, Mr. McCann, says by this bill they are not trying to penalize the station wagon owners. In my opinion, that is just exactly what they are doing. There are about 400 thousand of them in the state of Pennsylvania. I think this is a bad bill and I urge everyone to vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—143

Agnew,	Gallagher,	Machmer,	Rigby,
Anderson,	Garlock,	Magee,	Riley,
Arlene,	George,	Mahan,	Rovansek,
Balthaser,	Goldstein,	Markley,	Rudisill,
Boles,	Goodrich,	Maxwell,	Sakulsky,
Bonner,	Guthrie,	Meholchick,	Scarcelli,
Bower,	Hamilton,	Merry,	Schaaf,
Branca,	Heffner,	Mills,	Schuster,
Breth,	Helm,	Monroe,	Schwartz,
Burns,	Hocker,	Muldowney,	Sherman,
Capano,	Holt,	Mullen,	Shupnik,
Capitolo,	Irvis,	Munley,	Silverman,
Clanfrani,	Jenkins,	Murphy, A. J., Jr.	Snider,

Cioffi,	Jim,	Murray, H. P.,	Stank,
Clarke,	Johnson, A. W.,	Murray, J. J.,	Steckel,
Comer,	Jones, F. R.,	Musto,	Stimmel,
Crossin,	Jump,	Naugle,	Stone,
Dennis,	Kamyk,	Needham,	Stoner,
Dennison,	Keiser,	Nelson,	Trusio,
Devlin,	Kooker,	O'Dell,	Varallo,
Dougherty,	Kornick,	O'Donnell, J. A.,	Verona,
Down,	Korns,	O'Donnell, J. P.,	Wall,
Edwards,	Kovolenko,	Ogilvie,	Walsh,
Eilberg,	Kubitsky,	O'Neill,	Wargo,
Eshleman,	Lamb,	Parlante,	Welsh,
Ewing,	Lee, K. B.,	Pashley,	Wescott,
Farabaugh,	Leonard,	Perry, H. H.,	Wheeler,
Filo,	Limper,	Perry, P. E.,	Williams, E. S.,
Fineman,	Lopresti,	Petrosky,	Willard,
Floyd,	Luigard,	Polaski,	Worley,
Flynn,	Lutty,	Polen,	Wynd,
Foerster,	McCandless,	Prendergast,	Yatron,
Fox,	McCann,	Price,	Yetter,
Frank,	McDonald,	Pursley,	Zimmerman,
Frascella,	McKeever,	Reibman,	Andrews,
Galley,	McLaughlin,	Reidenbach,	Speaker

## NAYS—38

Ashton,	Fetterolf,	Lee, A. M.,	Seltzer,
Auker,	Fulmer,	Light,	Stewart,
Barton,	Gramlich,	Lippincott,	Stroup,
Bowman,	Holliday,	McInroy,	Tompkins,
Buchanan,	Horst,	Miller, B. Z.,	Ujobal,
Davis,	Isaacs,	Miller, H. G.,	Varnar,
Dengler,	Johnson, R.,	Murphy, P. J.,	Weidner,
Donahue,	Kernaghan,	Odorisio,	Williams, A. D., Jr.,
Donaldson,	Kessler,	Renwick,	Wilt,
Eshback,	Knecht,		

## NOT VOTING—27

Bell,	Gelfand,	Mihm,	Sullivan,
Blair,	Gibb,	Moran,	Taylor,
Boris,	Heavey,	Murray, P. G.,	Thompson,
Brenninger,	Henzel,	Royer,	Whittaker,
Brown,	Jones, T. H. W.,	Snare,	Willaredt,
Cooper,	Kee,	Stevens,	Wood,
Curwood,	McCormack,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to inform the House that from here on all we will do is amend the bills that are agreed to, non controversial, and clear the table. All those who want to go on will certainly want to get away. Some of them have engagements and they have not eaten for a good while. I hope this will meet with their approval.

## BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1597 on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1597, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) requiring persons who distribute catalogs and other advertising material and by reason thereof accept orders for merchandise from residence of this Commonwealth to be licensed and file returns.

On the question,

Will the House agree to the bill on third reading?

Mr. O'DELL asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title; page 2 first to third lines of Title, by striking out "requiring" in last line, page 1 and all of the first three lines, page 2 and inserting "redefining the term "maintaining a place of business in this Commonwealth" to include therein persons soliciting orders within this Commonwealth in connection with the sale, lease or delivery of certain personal property to or the performance thereon of certain services for residents of this Commonwealth by means of catalogues or other advertising; and conferring powers and imposing duties upon such persons"

Amend Sec. 1 (Sec. 301.1), page 2, lines 1 to 15; page 3, lines 1 to 11, by striking out all of said lines

Amend Sec. 2 (Sec. 501), page 3, lines 12 to 19, by striking out all of said lines and inserting

"Section 1 Clause (b) of section 2, act of March 6, 1956 (P. L. 1228), known as the "Selective Sales and Use Tax, Act" amended April 15, 1959 (P. L. 20) is amended by adding at the end thereof a new subclause to read:

"Section 2 Definitions.—The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

"(b) "Maintaining a place of business in this Commonwealth."

(3) Regularly or substantially soliciting orders within this Commonwealth in connection with the lease, sale or delivery of tangible personal property to, or the performance thereon of services for residents of this Commonwealth, by means of catalogues or other advertising whether such orders are accepted within or without this Commonwealth."

Amend Sec. 3, page 3, line 20, by striking out "3" and inserting "2"

Will the House agree to the amendments?

They were concurred in.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1709 on page 17 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1709, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the manufacture sale or offer to sell certain plastic bags within this Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 699.10), page 2, lines 3 to 5, by striking out all of lines 3 and 4 and "that under no circumstances can the bag become air tight" in line 5 and inserting "the length and width of which when added together totals twenty-five inches or more and which is one mil (0.001 inch) or less in thickness, or any person who delivers at retail any such bag as a cover or container for any product or substance"

Amend Sec. 2, page 2, line 10, by striking out "in ninety days" and inserting "January 1, 1960"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. MAXWELL asked and obtained unanimous consent to add additional sponsors to a bill.

There are people on both sides of this House who have put much time, thought and study to this bill. They have similar bills and I think out of courtesy to them their names should be added.

They are Mr. Frank, Mr. Helm, Mrs. Munley, Mrs. Kooker and Mrs. Kernaghan.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1948 on page 21 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by inserting after "dedicated" "or offered for dedication where no formal record appears as to acceptance by the political subdivision"

Amend Sec. 2, page 2, line 11, by inserting after "use" "or offered for dedication to such use where no formal record appears as to acceptance by the political division"

Amend Sec. 4, page 3, line 3, by inserting after "interest" "or where the political subdivision as trustee for the division as trustee for the benefit of the public is in doubt as to the effectiveness or the validity of an apparent dedication because of the lack of a record of the acceptance of the dedicated land or buildings"

Amend Sec. 4, page 3, by adding after line 13 "(4) Relinquish, waive or otherwise quitclaim all right and title of the public in and to such land and buildings as have been apparently dedicated, but for which no formal acceptance appears of record, provided only that the court is satisfied upon hearing the evidence that there is no acceptance by implication arising out of public user or otherwise. The court shall also determine the consideration if any to be paid to the political subdivision."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?



They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked an obtained unanimous consent to call up out of order House Bill No. 2092 on page 23 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2092, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833) entitled as amended "An act to provide for the coverage of certain officers and employees of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended \* \* \*" by changing and clarifying the coverage and scope of agreements and substituting "division" for "referendum."

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, seventh line of Title, by inserting after "by" "clarifying procedure and"

Amend Title, page 2, seventh line of Title, by striking out "the"

Amend Title, page 2, last two lines of Title, by striking out "and substituting division" for "referendum"

Amend Sec. 1, page 2, line 1, by striking out "The first paragraph of subsection (a)" and inserting: "Subsection (a) of section 2"

Amend Sec. 1, page 3, by inserting between lines 6 and 7

"Section 2. Definitions.—The following words and phrases shall have the meaning ascribed to them in this section unless the context clearly indicates otherwise:

"(a) "Social Security Act," means the Act of Congress, approved the fourteenth day of August, one thousand nine hundred thirty-five, Chapter 531, 49 Statutes 620, officially cited as the "Social Security Act" (including regulations and requirements issued pursuant thereto), as [such act has been or may from time to time be] amended or as hereafter amended."

\* \* \*

"Amend Sec. 1 (Sec. 4), page 3, line 11, by striking out "as presently written or as it may be amended from time to time"

Amend Bill, page 4, by inserting between lines 9 and 10 "Section 2. Clause (2) of subsection (a) of section 6 of the act, reenacted and amended June 1, 1956 (P. L. 1973), is amended to read:

"Section 6. Plans for Coverage of Employees of Political Subdivisions.—(a) Each political subdivision or instrumentality thereof of the Commonwealth is hereby authorized to submit for approval by the State Agency a plan for extending the benefits of Title II of the Social Security Act, in conformity with applicable provisions of such act, to employees of such political subdivision. Each such plan and any amendment thereof shall be approved by the State Agency if it finds that such plan, or such plan as amended, is in conformity with such requirements as are provided in regulations of the State Agency, except that no such plan shall be approved unless—

\* \* \*

"(2) it provides that all services which constitute employment, as defined in section two, and are performed in the employ of the political subdivision or instrumentality thereof by employees thereof, shall be covered by the

plan, except that [it may exclude] any such plan and any amendment to an existing plan approved on or after the effective date of this amendment by the State Agency shall include services rendered by individuals to whom section 218 (c) (3) and (5) of the Social Security Act is applicable;

\* \* \*

Amend Sec. 2, page 4, line 10, by striking out "2" and inserting "3"

Amend Sec. 2 (Sec. 6.1), page 4, line 12, by striking out the brackets before and after "Referenda" and striking out "Divisions"

Amend Sec. 2 (Sec. 6.1), page 5, line 2, by striking out the brackets before and after "referendum" and striking out "division"

Amend Sec. 2 (Sec. 6.1), page 5, line 6, by striking out "division"

Amend Sec. 2 (Sec. 6.1), page 5, line 9, by striking out the brackets before and after "referendum" and striking out "division"

Amend Sec. 2 (Sec. 6.1), page 6, line 3, by striking out the brackets before and after "referendum" and striking out "division" where it appears the first time

Amend Sec. 2 (Sec. 6.1), page 6, line 3, by striking out the brackets before and after "referendum" and striking out "division" where it appears the second time

Amend Sec. 2 (Sec. 6.1), page 6, line 12, by striking out the brackets before and after "referendum" and striking out "division"

Amend Sec. 2 (Sec. 6.1), page 7, line 4, by striking out the brackets before and after "referendum" and striking out "division"

Amend Sec. 2 (Sec. 6.1), page 7, line 7, by striking out the brackets before and after "referendum" and striking out "division"

Amend Sec. 2 (Sec. 6.1), page 7, by inserting after line 18:

"(d) For the purposes of this section any retirement system established may be divided into two divisions or parts in accordance with the Federal Social Security Act."

Amend Bill, page 7, by adding:

"Section 4. This act shall take effect immediately."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 141 on page 25 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 141, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

## BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar that have not been acted upon will be passed over.

The Chair hears none.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1690 FROM GOVERNOR

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, August 6, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1690, Printer's No. 1031, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## RECONSIDERATION OF VOTE

Mr. STONE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Beaver, Mr. Stone vote on the final passage of this bill?

Mr. STONE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. STONE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Messrs. STONE and PARLANTE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend title, page 1, line 6 of the title, by striking out "an" and inserting "a clear and"

Amend title, page 1, line 7 of the title, by striking out "of fifteen (15) feet"

Amend title, page 1, line 8 of the title, by inserting after "vehicles" "or tractors"

Amend Section 1 (Section 1020), page 3, line 4, by inserting after "vehicle" "or tractor"

Amend Section 1 (Section 1020), page 3, line 6, by inserting after "vehicle" "or tractor"

Amend Section 1 (Section 1020), page 3, line 7, by inserting after "vehicles" "or tractors"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL INTRODUCED AND REFERRED

By Messrs. STANK and SCHWARTZ.

HOUSE BILL No. 2317.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell 59.514 acres, more or less, of land situate in West Chillisquaque Township, Northumberland County.

Referred to the Committee on State Government.

## SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1115.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.49 acres more or less of land situate in Abington Township Lackawanna County.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

## SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 623.

## COMMITTEE MEETINGS

LABOR RELATIONS, Mr. Wargo, Chairman, Room 131-G, Wednesday, August 12 at 9:45 a. m.

## ADJOURNMENT

Mr. MEHOLCHICK. Mr. Speaker, I move that this House do now adjourn until Wednesday, August 12, 1959 at 9:00 a. m. EST.

The motion was agreed to, and (at 6:40 p. m. EST) the House adjourned.





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143rd of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, AUGUST 12, 1959.

No. 78.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, August 12, 1959

The House met at 9:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

### PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou great Eternal God and Father of us all, we come to Thee this morning hour as humble children of Thine seeking to know and do Thy will. We humbly pray that Thou wilt make us obedient, observing, and objective. Call us we pray to listen to that which is true and right, and ever keep us following Thy guidance; awaken within us the truths of life, and always enable us to see the opportunities of service which confront us day by day; and challenge us with the goals and aims of Thy Divine Will, and eternally direct us in accomplishing great results for Thee; so that Thy kingdom may come and Thy will may be done on earth as it is in heaven: through Jesus Christ, Thy dear Son, our Lord. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, August 11, 1959 will be postponed until printed.

The Chair hears none.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1078, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law" providing for biennial registration.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1078

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1080, entitled:

An Act amending the act of May 23, 1945 (P. L. 913) entitled "Professional Engineers Registration Law" authorizing registration of certain qualified persons without examination and providing for biennial registration.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1080

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1081, entitled:

An Act amending the act of July 12, 1919 (P. L. 933) entitled "Architects Registration Law" providing for biennial renewal of certificates and changing fees in accordance therewith.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.



# APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1081

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1082, entitled:

An Act amending the act of March 2, 1956 (P. L. 1206) entitled "Chiropody Act of 1956" providing for biennial renewal of registration and changing fees in accordance therewith.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

# APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1082

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1083, entitled:

An Act amending the act of March 19, 1909 (P. L. 46) entitled as amended "Osteopathic Practice Law" providing for biennial registration.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

# APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1083

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1084, entitled:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "Optometrists' Licensure Law" providing for biennial registration and changing fees in accordance therewith.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

# APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1084

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1099, entitled:

An Act amending the act of May 22, 1951 (P. L. 317) entitled "The Professional Nursing Law" providing for biennial registration.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

# APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1099

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1512, entitled:

An Act amending the act of May 17, 1917 (P. L. 208) entitled "Pharmaceutical Practice Law" changing from annual to biennial registration.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

# APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1512

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1513 entitled:

An Act amending the act of May 1 1929 (P L 1216) entitled "Real Estate Brokers License Act of 1929" changing from annual to biennial registration and increasing certain fees.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1513

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1514 entitled:

An Act amending the act of April 27 1945 (P L 321) entitled "The Veterinary Law" changing from annual to biennial registrations.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 1514

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## RESOLUTION

## COMMITTEE ON MEMORIALS

Messrs. McCANN and A. W. JOHNSON asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, August 12, 1959.

Resolved, That the Speaker appoint a Select Committee on Memorials, consisting of six Members of the House of Representatives, to fix a time and arrange a suitable program for Memorial Services in memory of the Members of this House of Representatives who have died during the Session of 1959.

MEMBER OF OHIO GENERAL ASSEMBLY  
WELCOMED

The SPEAKER. We have as our guest today a Member of the Ohio General Assembly, the Honorable Michael A. Sweeney, who is one of the representatives of Cuyahoga County.

By reading the papers I understand that in the Ohio General Assembly they generally have a calendar on which there are not more than twelve bills, that when the House convenes all of the Members are invariably in their seats and only death or disaster can keep them away, and that there never, never, never is the slightest trace of disorder. I only know that from reading the papers. The Member from Ohio, Mr. Sweeney, did not tell me that, but he is here and I have asked him to favor us with a few remarks.

The Honorable Michael A. Sweeney, from Cleveland.

## REMARKS BY HON. MICHAEL A. SWEENEY

Mr. SWEENEY. Mr. Andrews and Members of the Pennsylvania General Assembly, I want to say one thing to leave with you, one thing to impress upon you, that I am here as an individual and not as an official representative of the Ohio General Assembly. My wife, family and I are on our way through. We took a chance that you were in Session and were greeted very hospitably. The Leadership here is certainly the kind you would want in every state capitol. They are most kind.

A few thoughts on what strikes me as I gaze about the House here; your Assembly is, of course, much larger than the Ohio Assembly. We have 139 Members in the Ohio House and 33 Senators. We have a Democratic Governor, Governor Michael DeSalle, and, as a Democrat, I prophesy that Mike DeSalle will become perhaps one of the finest Governors in the history of Ohio.

We have a Democratic majority in the Ohio House and a Democratic majority in the Ohio Senate, and I certainly take exception to what Mr. Andrews has stated about non-controversial Sessions. We Democrats fight like a pack of cats, believe me.

We have completed our Session which we started the first Monday in January. We finished up on the 24th day of July. We do come back this Friday under sine die to attempt to override, if it seems feasible, some 12 vetoes that the Governor saw fit to place upon our bills.

One of the difficulties of addressing a group like this, and I know it happened a few years back in Ohio, is that in making remarks I might inadvertently favor one side or the other in the very heated contest now going on on the floor. Believe me, any remarks I make now are purely in ignorance of any current issue.

We in the House introduced somewhere around a thousand bills, perhaps eleven hundred. In the Senate they introduced somewhere around three or four hundred bills, a total of some fifteen hundred bills. About three hundred bills will eventually see their way to the Governor's desk. Out of about three hundred bills he has seen fit to veto approximately twelve so far.

We in Ohio have an automatic roll call, so that when the Speaker calls us to attention after the debate has ceased he will ask, "Are you prepared to vote?" Then we will vote by means of a "Yea" or "Nay" button on our desk, and on each side wall there is a large score board with our names, a red light and a green light, the green



meaning that we are voting for a bill, the red light for voting against the bill. The Speaker will ask, "Have all voted?" Then he will signify to the Clerk to press an automatic tabulating mechanism. The votes are recorded in the time of about two or three seconds, and we will know immediately what the vote is that is registered. In the Ohio House we need 70 votes to pass a bill, in the Sena'e there is the necessity of having 17 votes, one over the bare majority.

Our problems are similar to yours. I was reading the paper here today and I thought I was reading the Columbus, Ohio, paper—Gasoline taxes, school problems. We from the big city and county were sending down too much money and not bringing back enough. We have that fight every year. We put two cents on gasoline raising it from five to seven, two cents on cigarettes. We tripled our corporate franchise tax. We Democrats think we had a good reason for doing that.

Briefly, during the war years our Governor Lausche, who was a Democrat, built up a surplus of some \$200 million. The money was designated for building, but because of lack of facilities certain buildings could not be built in Ohio and a surplus was built up. There was little or no poor relief, times were good. During the latter part of his administration and during Governor O'Neill's administration the income was far below the expenses of the state. Governor Lausche did not see fit to levy new taxes, neither did Governor O'Neill, and the surplus was gradually eaten up so that when Mike De Salle came into office, like Mother Hubbard's cupboard, it was quite bare. He had a minus \$13 million to work on. Therefore, like yourselves, he had to do an unpopular thing and levy necessary taxes for the minimum requirements of the state.

I gaze down at you and I do not envy you. We are through. We are on vacation. I look at your haggard faces, your haggard eyes. You are tired, you are on edge, you are ready to fight with your best friend. I do not envy you. I can only hope that you readily and quickly bring this Session to a close and that after it is over you will realize one thing, that if your favorite bill gets beat, it is the will of the majority, it should have gotten beat. It was premature, perhaps. It was no good, perhaps. If it is a good one, it will pass. It is hard for me to realize that, but after we get out of the Session for a month or two we suddenly realize that the bill just did not have the weight, the necessity, to pass.

I wish you good luck. I wish you God speed, and that you do hurry home to your families.

Thank you very much.

The SPEAKER. Will Mrs. Sweeney and her interesting family, if they are in the Hall of the House, please rise? They are in the rear of the House. Our thanks, Mr. Sweeney.

### PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, before the gentleman from Ohio leaves our surroundings, I would like to make a few brief remarks.

It is a real pleasure to have Mr. Sweeney here with us and to have him see our House in operation. He told you about some of the things they do in Ohio, and I think I would like to tell you a couple of other things they do out there from which perhaps we could take a lesson.

Number one, they allow no visitors on the floor of the House of Representatives. All the visitors must sit in the gallery.

They permit one thing that I do not agree with and I am sure you will not either. They permit the members of the Press to circulate among the Members of the House and sit beside them if necessary.

The SPEAKER. Never, no never.

Mr. HELM. Mr. Speaker, the reason I rise is to tell a little experience I had just two years ago, when I was Speaker of this House.

I had an occasion, for business reasons, to visit the city of Columbus. I found out when I was there that the Legislature was in Session, so I took the liberty of introducing myself to the Chief Clerk and to the Speaker of the House, sending my card down from the gallery that I was present. I had two or three visits from the Sergeant-at-Arms. He came to my seat in the balcony about three different times during my short stay there, and he asked me during the little talk we had if I had any type of a card of identification to prove that I was a Member of Representatives of Pennsylvania. Unfortunately, even though I had been Speaker here, I did not have with me the type of card I had signed for every Member of this House. However I did have the card that was signed by the gentleman from Cambria in the 1955 Session when he was Speaker, and I gave that card to him. He took it down to the Speaker of the House, Speaker Cloud, and in a few minutes he came back to me and said, the Speaker will accept that card, and we would like to have you come to the rostrum and say a few words. Which I did.

The interesting part was this: Following the Session I was trying to find out why they were so very, very careful. They said they had had an experience, I think just a Session or two before, where a person who visited the Capitol of Ohio had identified himself as a Senator from one of the New England States, and they rolled out the red carpet for him. They took him to committee meetings, they let him talk to the chairmen of the various committees, and they just rolled out the red carpet. Two days later they discovered that he was a escapee from a mental institution of one of the New England States.

So, Mr. Speaker, I hope we were not quite so tough on the gentleman from Ohio, Mr. Sweeney. We did not make him identify himself, because I am sure from his discourse from the rostrum this morning he proved without question that he was a Member of the House of Representatives, and I am sure we are happy to have had him with us.

### REPORTS FROM COMMITTEE

Mr. RENWICK from the Committee on Game and Conservation, reported as committed, House Bill 1907, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying the provisions relating to shooting across or at wild birds or animals on highways.

Mr. MUSTO from the Committee on Rules, reported as committed, House Resolution No. 97.

### BILLS RE-REFERRED

Mr. FRANK from the Committee on Game and Con-



servation, returned with the recommendation that it be re-referred to the Committee on Agriculture and Dairy Industries, House Bill No. 488, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for payment for bear damage to field produce by the Department of Agriculture, and making an appropriation.

The SPEAKER. The bill is re-referred to the Committee on Agriculture and Dairy Industries.

Mr. FRANK from the Committee on Game and Conservation, returned with the recommendation that it be re-referred to the Committee on Agriculture and Dairy Industries, House Bill No. 1826, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), by removing groundhogs from the category of game; and requiring the commission to pay certain bounties from the killing thereof.

The SPEAKER. The bill is re-referred to the Committee on Agriculture and Dairy Industries.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1907, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying the provisions relating to shooting across or at wild birds or animals on highways.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### PARLIAMENTARY INQUIRY

Mr. SHERMAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will proceed. Now there is an interval open for miscellaneous discussion until the floor leaders prepare the calendar.

Mr. SHERMAN. Mr. Speaker, I understand that this will be of interest, not only to the Speaker but, I am sure, to both the Majority and Minority Leaders, to Mr. Helm, if he is present, Mrs. Reibman, if she is present, and to others.

From time to time the Speaker, on his own authority, may have seen fit to suggest the appointment of certain committees, suggesting to both sides that they appoint a committee of, say, four on one side and four on the other, to deal with specific problems.

Bear in mind also that we have specific committees in the House. To be more specific, since this does concern one Committee of which I am a member, the Education Committee. I understand the Education Committee has been laboring quite strenuously on various bills and problems, and I am sure the members of the House will deem that Committee quite competent.

I understand, on the other hand, that the other side of the House has seen fit, on their own motion, perhaps deeming that the Democratic side has not appointed certain committees to function or certain Members to function, and to be more specific, —I notice Mr. Helm is quite attentive, and I have suggested to him that perhaps this matter may be brought up in the House or otherwise, and

I think it is a proper matter for discussion—have appointed a four-member committee, or maybe eight members, the number makes no significant difference, to go ahead and request certain Members or certain people, both in professional and business life, to appear before the particular group they have seen fit to appoint.

My point of parliamentary inquiry is this, Mr. Speaker: To what extent can one side or the other, on their own wishes and motion, just because the other side has not seen fit to appoint a particular committee, when there has been no motion on the floor to appoint any particular committee or granted by the Speaker or otherwise, go ahead and request different people to speak, to appear before them, take testimony and then eventually bring it before the House on their own motion? What legal authority and what other authority do they have, and to what extent are their actions bound?

The SPEAKER. The Chair will reply to the gentleman.

First of all, we recognize the authority and function of a party caucus. If a party caucus desires to authorize the functioning of a particular group for a particular purpose, it is, of course, its privilege to do so.

If Members of either party on their own motion, although they have no official status, decide to devote themselves to the consideration of a particular problem, they are entirely within their rights to do so. And if on either side special groups study education, they have a right to invite anybody they want to appear before their group. Of course they would not be endowed with the power of subpoena.

I would say, if on the Speaker's left there are those who are studying particular problems, I welcome their endeavor because in the pursuit of information I don't know any group that needs it more.

### PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, I could not agree more fully with any decision you have ever made than the one you made just now.

The gentleman from Philadelphia, Mr. Sherman, brought my name into the discussion, and I presume he is talking about the special committee that the Republican party has on education.

We have appointed in our Republican Caucus a six-man committee to study the various ramifications of House Bill 1108 and any other phase on the educational problems of this Commonwealth.

The thing that apparently so badly upset the Chairman of the Committee on Education, as well as some of the Majority Members of that Committee, was the fact that we happened to be meeting at the same time a meeting was called of the Committee on Education.

With that I cannot find too much fault. I believe they have every right to resent that fact, perhaps, because we were not able to attend the regular Education Committee meeting. However I do take exception to the gentleman from Philadelphia, as the Speaker did. When the day arrives that either party in this House of Representatives cannot appoint a committee to study any problem, I don't care whether it be education, finances, or whatever the problem might be, if that day ever arrives, if we do not have the power in our own caucus to appoint a committee



for the sole purpose of gathering information concerning that problem, I shall have no desire to be here. I want to say to you that the people who appear before that committee are there purely and simply by invitation, and all they have to do if they do not want to appear before the committee is to say no, they refuse our invitation.

As the Speaker so ably said, we have no power of subpoena; we have no way of forcing anyone to come to that committee to give us information. But everyone we have invited up until this moment has been very cooperative. They are coming to us voluntarily, they are giving us their information, and the information we are gathering will be of great help not only to the Republican membership of this House but to the entire membership of this House.

We certainly are going to first clear that information with our own caucus. We are not selfish in the matter, we are willing to share the information, and I think it will be of help not only to the Education Committee as such, but to the entire House.

I say to you again, Mr. Speaker, if the time ever arrives when we do not have the authority to have such a meeting in this Legislature of ours, Heaven forbid that I am even a Member of this body. Because we are operating as a democratic type of government, we are privileged to meet and talk with anyone we desire to get the information we want. I have no desire to be a Member of this House if we are not permitted to do that very thing.

Mr. SHERMAN. Mr. Speaker, I wish to thank the gentleman, Mr. Helm, for his remarks.

I had mentioned to him heretofore that I did not disagree personally with Members meeting together. I have taken it upon myself upon occasion to go ahead and ask people in, but I felt the Members of the House should, in slightly more detail if we are not that well learned in parliamentary procedure, find out to what extent we have the authority.

I do not disagree, as I stated, with Mr. Helm, and I certainly welcome the gentleman's remarks.

### PERMISSION TO ADDRESS HOUSE

Mr. STROUP asked and obtained unanimous consent to address the House.

Mr. Speaker, for a good many weeks now I have been awaiting some positive developments in this House of Representatives which might point the way to a solution of the serious educational problem that faces our Commonwealth.

On April 6th, 1959, House Bill No. 1108 was placed in the hopper. Since that time the administration has not seen fit to date to pay attention to that bill at all. I would not be speaking upon this matter if Mr. Sherman had not brought the problem of education in this Commonwealth so forthrightly to our attention here this morning by the comments that he has made.

Sometime later, I believe early in the month of June, there was sponsored a bill, House Bill No. 2142, which creates a permanent Legislative Educational Committee designed to work with the State Council of Education as an arm of the Joint State Government Commission in order to try, during the next biennium as a permanent body, to find some solution to this harassing educational problem that faces the Commonwealth. That bill came out and now languishes in the Appropriations Committee.

The point of my remarks, Mr. Speaker, this morning, briefly is just this: I do not see how long either the administration, the Majority Leader, the Speaker or, for that matter, the leadership on this side of the House, can continue to delay some positive action on the problem of education, particularly the financial situation that faces our Fourth Class Districts. I call upon the Speaker, with his long experience and his committed interest in education, I call upon the Majority Leader, I call upon, also, the leadership on this side of the House, to now get to work with due speed and haste to resolve this very serious situation.

I recognize the fact, that there has been seen fit, after a fashion, to designate or earmark a certain \$28 million for subsidies in the next biennium for our school districts, and all of us are well aware that it is not only totally inadequate, but it is sophistry that means very little to correct the serious financial problems which these school districts face.

Yes, it is true that when we have tax bills before this House, many of us would readily vote for taxes for the administration if the administration had seen fit in its budget at all to recognize the education crisis that faces these school districts. But the administration's budget provided not one dime to help that situation and, instead, we come up with a program for a budget which ignores it and a tax program which also ignores it. Subsequently, how can those of us who come from the fourth class, school districts be expected to vote to raise money when we know that close to 1200, or at least very close to it, of these Fourth Class School Districts face insolvency.

I had not intended to take the time this morning but I see the Leaders are still working on the calendar. I had not intended to raise this question now, but perhaps to wait another week or so.

Now by reason of the dilatory tactics of this House, and I say so advisely, relative to this serious problem, the Republican Caucus saw fit to appoint a six-man committee to work on House Bill No. 1108 and try to come up with some solution or recommendation to its own caucus, or some suggestion. We do not know what it will be, but we are working on it.

Certainly House Bill No. 1108 should not be kept under wraps in the Education Committee and should by this time have been brought forth for study. I do not criticize that delightfully diminutive young lady who is the Chairman of our Educational Committee, whatsoever. But, there is fallacy some place that keeps this thing under cover.

And so, Mr. Speaker and ladies and gentlemen of this House, I ask all of you now to get behind a very serious problem and see that we work toward its solution in the very near future. Only a vociferous effort, and the demands of the Members of this House will bring action around to where it comes to a successful fruition before there is an adjournment sine die.

Now, Mr. Speaker, with your permission, briefly, sir, if I may, I should like to turn my attention to another subject.

From time to time my colleagues and I, in this House, have been gratified to receive from the desk of the Speaker, certain priceless epistles which point up matters of interest, call our attention to certain problems that face this House, and while indeed they are the written epistles of the distinguished Speaker, they do not at all



times agree with us, nevertheless, we read these epistles with great interest and get a considerable amount of information from them.

This morning I have before me and received in my post office box, as did the rest of you, from the office of the Speaker, August 12, 1959, "Dispelling the Fog." I want to say that this is the outstanding of these letters, the outstanding one that has been received to my mind. It deals with House Bill No. 636, and I received it with such deep pleasure, and am so thoroughly impressed with the statement that the Speaker has given us in this particular epistle, that I intend and desire to endorse the remarks of the Speaker in this letter relative to House Bill No. 636, and offer this letter, if I may be permitted to do so as a letter endorsed by me for the Legislative Journal.

The SPEAKER. The remarks of the gentleman together with the communication will be spread upon the record.

Mr. Stroup submitted the following letter.

August 12, 1959.

From The Office Of The Speaker:

### DISPELLING THE FOG

Some of the editors intimate at various intervals that we Legislators are very diligent when it comes to taking care of ourselves, and forget to serve various deserving causes.

The answer to that statement is—First; it isn't true, Second; in order to serve the Commonwealth efficiently we must have an efficient organization and increased efficiency must needs be purchased at a price.

There are some forgotten causes, however, which should be served in the interests of justice and which in addition have an emotional appeal. The Pennsylvania Retired Public School Employees Association presents such a cause. That cause can be served through the enactment of House Bill 636.

We have all received letters from the Association. These letters speak the bare, bleak truth when they say:

"House Bill 636 provides for a long overdue increase in the minimum retirement allowance for retired school employees. It guarantees a minimum of \$50 per year for each year of accredited service in Pennsylvania."

Who will House Bill 636 serve? It will serve: 1269 retirees who receive less than \$50 a month. 1367 retirees who receive between \$50 and \$75 per month.

1490 retirees who receive between \$75 and \$100 a month.

4126 retirees who receive less than \$100 per month.

It is a reproach to us, as Members of the General Assembly, a reproach to our Commonwealth, that any of our retired teachers who served faithfully and well, who evidenced a devotion to their profession not surpassed by those who serve us now in our schools, should be compelled in many instances to seek public assistance as a means of ministering to their necessities.

Sure, you say, something should be done for the retired teachers who have been so long forgotten, but where are we going to get the money? It is our business as Legislators to see to it that we raise enough money to do the things that should be done. Our economy has raised the standard of living for the multitudes. There should be no forgotten groups. Neglect should not grow fat by feeding on the bodies of the forgotten.

What would House Bill 636 cost? Competent actuaries estimate that the cost for 1959 would be \$3,359,211, and with each passing year that total would decrease. The retired teachers whom House

Bill 636 is designed to serve, in many instances, are living on borrowed time. Their cause will not long continue to harass our consciences. They are the members of a generation that is trudging into the sunset. We cannot afford, as a matter of conscience, that their companions as they travel should be NEED and SORROW.

Let's get House Bill 636 on the Calendar, pass it, and provide the money!

### PERMISSION TO ADDRESS HOUSE

Mr. SHERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, we as Members of the House, certainly appreciate various remarks at these various intervals, at which we can talk in this way. Of course, I may be speaking only for myself and not for any other Member of the House.

I wish to inform the previous speaker that a good many on this side of the House have delved into the educational field long before they ever appointed a committee. A good many of us on this side of the House have been in conversation with leading men of our communities and our cities and are well familiar with educational needs. I may be speaking for myself, as I stated, but we have at this time, already concluded, to a great extent, what the needs of some of the education in perhaps our own vicinity and the vicinity of our great city in which we are interested and their needs and requirements. We have made mention of this matter on the floor of the House both by this speaker and perhaps by others. That the matter of education may be a specialized field in itself because of the large amount involved, the wants and needs of our teachers and the children in our various schools, and that we should go ahead and do something about it.

It was mentioned by the previous speaker that there was such things as dilatory tactics. Who he is referring to, I do not know. But, he himself as well as others on his side of the House and perhaps members on this side of the House may also be to blame, because my own belief is that where any group of legislators are guilty the entire membership suffers and our constituents suffer. I do not think anyone can be accused of such things as dilatory tactics. We want to serve the needs of the various people of this Commonwealth, whether it is education or otherwise. I and others do hope that the educational problems of the teachers of the schools, of the students and of the pupils will be well considered in the very near future, either by active concentration in the matter of three weeks' definite Session, not necessarily by any special session, and I say that because we do not have to go to the expense of a special session to take care of the educational needs. I do hope those educational needs can be properly served, not three years or four years hence but in the immediate future.

The SPEAKER. As Members of this House know the Chair long has been greatly concerned by reason of the fact we have not prepared ourselves in sufficient fashion to attack educational problems basically.

There is no program pending that makes the basic study which must begin with the foundation dealing with permanent financial support, the allocation of responsibility as to local responsibility and state responsibility, the creation of sound administrative units and a basic reappraisal of curriculum. I doubt that those problems



can be solved unless the Commonwealth is equipped to gather the forces necessary to make a six month study to prepare the agenda, and then with an agenda prepared to convene for the purpose of making a basic study of our long continuing problem.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency which was read as follows:

Approval of House Bills Nos. 272, 345, 492, 497, 751, 810, 957, 981, 1028, 1070, 1220, 1224, 1231, 1326, 1374, 1400, 1818, 1819, and 2220.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.  
August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 272, Printer's No. 338, entitled "An Act requiring State licensing boards and agencies to give credit for training received in the armed services of the United States toward requirements for prerequisite to issuing a license."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 345, Printer's No. 695, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' authorizing the annexation of certain territory in a township which territory is contiguous to and owned by the borough."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 492, Printer's No. 163, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing estimated semi-annual payments."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 497, Printer's No. 167, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' making the school at Cheyney a State Teachers' College in the First State Teachers' College District."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 751, Printer's No. 835, entitled "An Act amending the act of June 1, 1956 (P. L. 1944) entitled 'An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes conferring powers and imposing duties on local officers and the Department of Highways and making an appropriation out of the Motor License Fund and repealing existing legislation' providing for the use of twenty-five per centum of the money allocated in townships of the second class."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 810, Printer's No. 852, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' authorizing the establishment of a Shade Tree Commission and providing for its personnel powers and duties."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 957, Printer's No. 285, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing the procedure for a change of classification."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 981, Printer's No. 290, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' changing provisions relating to attending high schools in non-resident districts and to the payment of tuition."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1028, Printer's No. 556, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' increasing the debt limit of school districts when the State Constitution is amended to permit such increase."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1070, Printer's No. 864, entitled "An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law' exempting certain properties from taxation."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1220, Printer's No. 625, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing for continuing operation of joint school systems when one or more member districts fail to unite with other member districts in the formation of a union or merged school districts."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1224, Printer's No. 385, entitled "An Act authorizing the Department of

Property and Supplies with the approval of the Governor to sell and convey 23 acres more or less of land situate in Collier Township Allegheny County."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1231, Printer's No. 467, entitled "An Act amending the act of April 12, 1951 (P. L. 90) entitled 'Liquor Code' excepting certain restaurants at airports from the quota limitations."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1326, Printer's No. 693, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' authorizing certain county boards to establish and operate audiovisual libraries and providing for the costs thereof."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1374, Printers' No. 902, entitled "An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended 'An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' providing certain exemptions from taxation under the provisions of the act."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1400, Printer's No. 830, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' further regulating the election of councilmen."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1818, Printer's No. 804, entitled "An act amending the act of May 28, 1937 (P. L. 1019) entitled 'Statutory Construction Act' changing in the computation of time in certain respects."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 1819, Printers No. 805, entitled "An Act amending the act of June 20, 1883 (P. L. 136) entitled 'An act to regulate the computation of time under statutes rules orders and decrees of court and under charters and by-laws of corporations public and private' changing the computation of time in certain respects."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2220, Printers' No. 1232, entitled "An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses."

DAVID L. LAWRENCE.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title were publicly read as follows:

HOUSE BILL No. 1115.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.49 acres more or less of land situate in Abington Township Lackawanna County.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Allegheny, Mr. Agnew, to preside temporarily.

Mr. AGNEW IN THE CHAIR.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. BRANCA for today.

Mrs. Varallo for Mr. TAYLOR for today.

Mr. Tompkins for Mr. GIBB for today.

Mr. Tompkins for Mr. BRENNINGER for today.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 169, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.



Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Clarion for use of the Clarion State Teachers' College and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1590, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) increasing the permanent excise tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 1593, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) increasing the permanent State tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2027, entitled:

An Act amending "The Insurance Unfair Practices Act" approved June 5, 1947 (P. L. 445) prohibiting rates based on fictitious grouping of risks and further defining the applicability of the act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 2102, entitled:

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) changing the basis for determination of approved building construction costs for reimbursement purposes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2240, entitled:

An Act amending the "Commerce Law" approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) changing the applicability of the act and the inspection period imposing certain

duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 347, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing a method of computing the pensions of certain employees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 348, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the basis for pensions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 504, entitled:

An Act repealing section 650 of "The Penal Code" approved June 24, 1939 (P. L. 872) relating to pawnbrokers dealing with minors.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1022, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the public notice provisions relating to auditors' reports.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1205, entitled:

An Act repealing clause (f) of section 402 of the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897) relating to ineligibility for compensation under shipping articles.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984) entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing \* \* \*".

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) changing standards and qualifications for hospitals in which interns may train.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1886, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways" etc. by prohibiting peace officers from requiring vehicles or combinations of vehicles to be driven to stationary scales in certain cases and imposing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1887, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships for their road, street and bridge purposes" increasing and changing the appropriation out of the Motor License Fund and continuing a conditional appropriation beyond the calendar year 1959.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift on behalf of the Pennsylvania Historical and Museum Commission the historic property known as the Tuscarora Academy.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions \* \* \*

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2110, entitled:

An Act authorizing the Dept of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia Pa.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2139, entitled:

An Act regulating and prescribing the working hours of police officers employed by any county city except cities of the second class and Philadelphia borough town or township having a regular police force of twenty or more police officers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2146, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the combination of counties into a single unit of county administration.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2172, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) deleting the provision



requiring school districts to advertise for proposals on plans and specifications for certain projects.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2203, entitled:

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) permitting reciprocal licensure of foreign applicants.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2259, entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year and providing for registration fees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2265, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) creating and imposing duties on mine safety committees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2267, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mine and Mineral Industries.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans

for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2269, entitled:

An Act amending the Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing for the appointment of registered professional mining engineers and prescribing their powers and duties.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2270, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) regulating the marking of the means of ingress and egress in mines.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154) entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines" requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2288, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) making the levying of a tax on salaries professions trades and occupations and persons who follow no occupation or calling optional in counties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) by increasing the rate of compensation.

The first section was read.

On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act" approved March 6, 1956.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 38, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing appropriations for handling storage and distributions of surplus foods.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,  
Senate Bill No. 65, Printer's No. 65, was passed over at the request of the SPEAKER pro tempore.

Mr. McCANN. Mr. Speaker, on the calendar today Senate Bills 474 on page 10 through 484 on page 12 comprise a package of bills dealing with the annual salaries of the officers of the various classes of counties and the fees.

It has been agreed that every Member of this House who has any amendments to offer to any bill in this pack-

age should turn over the amendments to the Chairman of the Committee on Counties, Mr. Cioffi—anyone who has any amendments to any bill in this package.

It is agreed that the bills will all be recommitted to the Committee on Counties and that the amendments to any of the bills will be considered by the Committees on Counties. The bills will be re-reported from the Committee either in their original form or as amended, according to their class of county.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act amending the act of June 25 (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class," increasing the salaries of certain county officers.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 475, entitled:

An Act amending the act of June 25, 1947 (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," increasing the salaries of certain county officers.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 476, entitled:

An Act amending the act of June 25, 1947 (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class," increasing the salaries of certain county officers.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth



class," increasing and fixing the salaries of certain county officers.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class," increasing the salaries of certain employees and county officers.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the annual salaries of certain county officers in counties of the eighth class.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act amending the act of May 6, 1874 (P. L. 125), entitled "An act regulating state tax on certain county offices," increasing the maximum amount of fees that certain offices may retain.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 481, entitled:

An Act amending the act of July 29, 1953 (P. L. 981), entitled "An act fixing the fees and mileage of the coroner in counties of the third class," increasing certain fees.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act amending the act of January 7, 1952 (P. L. 1844), entitled, as amended, "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes," increasing certain fees.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 483, entitled:

An Act amending the act of May 13, 1949 (P. L. 1328), entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class," increasing certain fees.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I ask again, so that someone will tell every Member, anyone who has any amendments to offer to any of these bills will they please present their amendments to the Chairman of the Committee on Counties, Mr. Cioffi, for consideration by the Committee.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 832, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the reorganization of school districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessments Law," specifying when tax levies shall first be based on assessments from valuations made with use of the permanent system of records.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

## BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

### BILLS PASSED OVER

There being no objection,

House Bill No. 1427, Printer's No. 1236 and

House Bill No. 1690, Printer's No. 1356,

were passed over at the request of the SPEAKER pro tempore.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 63, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," prohibiting drag races and providing penalties.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 63, Printer's No. 1285 is the so-called drag racing bill.

I believe we do not need an awful lot of explanation about this proposed piece of legislation. I think all of us have lived in our communities wherever we may be in our respective counties and we have seen time and time again where this so-called drag racing has been the cause of many unnecessary deaths.

I think we can recall most recently here in Pennsylvania, time and time again, where there have been screaming headlines in the papers, in which for some unknown reason this drag racing occurred and the innocent people travelling the highways were part of a major vehicle accident in which they lost their lives.

This legislation attempts to abolish drag racing in the Commonwealth of Pennsylvania and we certainly hope it will do that very thing, or try to stop this drag racing as it is commonly called in the Commonwealth.

I ask that every Member support this proposed legislation.

Mr. RIGBY. Mr. Speaker, I would like to concur with the Majority Leader. This bill is designed with the hopes

that it would be just another step in stopping the slaughter on our highways. I feel that it is a good bill and I hope that everyone will vote for it.

Mr. AUKER. Mr. Speaker, the question I am raising today is the same as I raised yesterday on this type of legislation. I probably will vote for this bill, possibly as the gentleman from Philadelphia, Mr. Fineman, says a half a loaf is better than none. If you go halfway down the street there is no reason why you should not go that far, even though you cannot go the whole way.

However, there is a weakness there because we do have within our reach to go the whole way down the street and take the whole loaf. I am as firmly convinced today as I was yesterday, and I hope to read in the record in the near future absolute proof that juveniles cannot be prosecuted under the vehicle code. This bill will not reach the juvenile, that is the driver under 18 years of age, and I say again that is one of the largest class of violators.

I do not think the bill here goes far enough. I think the other bill ought to come out so that we can do a real job but I think I will vote for this bill for what help it might give.

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCANN, consent to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, does this bill prohibit local police from setting up regulated drag strips under their control?

Mr. McCANN. On public lands or public streets or public highways, yes.

Mr. LIPPINCOTT. Would you prohibit such drag races under police control, let us say, on an abandoned airport owned by a municipality.

Mr. McCANN. I believe, Mr. Lippincott, if it was owned by a municipality, even though it was abandoned, I believe it would be prohibited. That would be public land, would it not?

Mr. LIPPINCOTT. I believe it would be, yes.

Mr. McCANN. But, it does not prohibit drag racing on fair ground areas, on race track areas, on areas that are operated by private companies or corporations that are not public.

Mr. LIPPINCOTT. The bill seems to prohibit racing on public ground, is that correct?

Mr. McCANN. It does prohibit drag racing on public ground.

Mr. LIPPINCOTT. Well, the bill is not limited to drag racing. It says speed contests or language to that effect. Would this prohibit an automobile race at a county fair, for example?

Mr. McCANN. It would not, sir.

Mr. LIPPINCOTT. It seems to me if you read the language in the bill as presently drawn, it would do just that and I think the bill should be corrected to spell that out.

Mr. McCANN. Mr. Lippincott, I believe that there was a committee that attempted to define drag racing in that bill. Is that correct? The definition defining racing.

Mr. LIPPINCOTT. Well, that may be but all I am saying is that the bill does not define it too carefully because on page 5 of the bill it says, "it shall be unlawful for any



person to operate a vehicle upon any highway in a physical endurance contest or a speed contest." Now a speed contest would be an automobile race, I would think, on a highway, and I am asking if such a speed contest is permitted on publicly owned fair grounds.

Mr. McCANN. The answer, Mr. Lippincott, as I understand it, would be no on publicly owned ground or public highway. Therefore, so called fair grounds, the so called speed tracks in Pennsylvania that are owned by companies, corporations or stock companies are private and could operate speed racing contests, and, Mr. Lippincott, we could insert in here without a question of doubt a very clear legislative intent. That is what you are seeking, and I think we ought to do it.

Mr. LIPPINCOTT. I think it would be advisable.

Mr. McCANN. I believe we should insert in House Bill 63, the legislative intent. As the bill is drawn it does not in anyway forbid the qualified regular automobile races, whether they mean midgets, large cars, small cars, stock cars, that are operated under proper control, such as an organization, a proper AAA outfit or various other organizations as long as it is operated on the proper tracks or areas not dealing with public highways. This would permit all of our regular fairs to have their races if they have them scheduled in that manner. This would be the House's legislative intent, in definition of that. Is that satisfactory?

Mr. AUKER. Mr. Speaker, I would ask that a vote be taken on that legislative intent.

The SPEAKER pro tempore. The Chair rules that if that vote is to be taken it must be taken after the vote on this bill. It is an entirely separate matter.

We will entertain the gentleman's motion after this roll call, if he is so disposed to make it at that time.

Mr. MAXWELL. Mr. Speaker and Members of the House, I am very much inclined to agree with Mr. Lippincott.

The intent of this bill is good; it is excellent. We should stop all types of racing on the public highways, but we should not stop racing where it is controlled and sponsored by some organization. That, I am afraid, is what this bill will do, whether the intent is there or not.

Many of the organized races and speed contests are held on airports which may be municipal airports, and on fairgrounds which are owned, maybe, by a township, which would be public land. Therefore I think, just to be sure we do not stop organized and controlled racing, this bill should be recommitted and those amendments put into the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—169

Agnew,	Gallagher,	McDonald,	Reidenbach,
Anderson,	Gluck,	McInroy,	Rigby,
Arlene,	George,	McKeever,	Riley,
Ashton,	Goldstein,	McLaughlin,	Rovansek,
Auker,	Goodrich,	Machmer,	Royer,
Balthaser,	Gramlich,	Magee,	Rudisill,
Barton,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Heim,	Maxwell,	SchAAF,
Bower,	Henzel,	Merry,	Schuster,
Bowman,	Hocker,	Miller, B. Z.,	Seltzer,
Buchanan,	Holliday,	Miller, H. G.,	Sherman,

Burns,	Holt,	Mills,	Silverman,
Capano,	Horst,	Monroe,	Snider,
Capitolo,	Irvls,	Muldowney,	Stank,
Cianfrani,	Isaacs,	Mullen,	Steckel,
Cioffi,	Jenkins,	Munley,	Stewart,
Clarke,	Jim,	Murphy, A. J., Jr.,	Stimmel,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Davis,	Johnson, R.,	Murray, H. P.,	Stroup,
Dengler,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Ellberg,	Korns,	Odlorio,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neill,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Lulgard,	Price,	Zimmerman,
Frascella,	Lutty,	Pursley,	Andrews,
Fulmer,	McCandless,	Reibman,	Speaker
Galley,	McCann,		

## NAYS—5

Crossin,	Jones, T. H. W.,	Meholchick,	Shupnik,
Frank,			

## NOT VOTING—34

Bell,	Dennis,	Moran,	Sullivan,
Blair,	Gelfand,	Murray, P. G.,	Taylor,
Boris,	Gibb,	Renwick,	Thompson,
Branca,	Heavey,	Schwartz,	Trusio,
Brenninger,	Hefner,	Snare,	Welsh,
Breth,	Kee,	Stevens,	Wescott,
Brown,	Kornick,	Stoner,	Wheeler,
Cooper,	McCormack,	Strausser,	Wood,
Curwood,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REASONS FOR VOTE

Mr. A. D. WILLIAMS filed the following reasons for his vote on House Bill No. 63:

The need for a bill to prohibit "drag races" is so obvious that discussion is not necessary.

Citizens of Bucks County, especially in the Hilltown and Bedminster Township areas were among the prime movers in securing this legislation. I commend them for their initiative and energy.

## LEGISLATIVE INTENT OF HOUSE BILL No. 63

Mr. AUKER. Mr. Speaker, in putting the motion, just a word of explanation.

I believe there are cases on record where legislative intent has been inserted specifically into the record on certain bills, and the appellate courts of this state have deliberately chosen to ignore that legislative intent. That is the reason I am insisting upon a vote on legislative intent, so that the courts, I feel will be bound by the legislative intent.

Therefore, Mr. Speaker, I move that the remarks of the gentleman from Greene, Mr. McCann, the Majority Leader of the House, referring to the legislative intent on

House Bill No. 63, Printer's No. 1285, be voted upon, a roll call vote be taken upon that legislative intent.

On the question,

Will the House agree to the motion?

Mr. LIPPINCOTT. Mr. Speaker, I would like to point out another defect, it seems to me in this bill, which might be considered as part of the legislative intent when we vote on it.

Under this bill a vehicle cannot engage in a speed contest on a public road. Unfortunately the bill on page 5 does not say a motor vehicle. Now a vehicle, under the Motor Vehicle Code, would include a soap box, one of these little wagons they use in the Soap Box Derby; it clearly includes that. A vehicle also includes these little go-carts that the kids race with on school grounds, under supervision.

#### MOTION TO AMEND

Mr. LIPPINCOTT. I therefore move that it be the legislative intent of this body to permit Soap Box Derbies and also to permit these little go-cart races on municipal or school grounds. The same roll call can be used to make this a part of the former declaration of legislative intent, unless the Majority Leader feels it is his desire to prohibit Soap Box Derbies.

The SPEAKER pro tempore. Does the gentleman from Delaware realize there is a motion on the floor made by the gentleman from Blair, and does the gentleman from Delaware wish to amend that motion?

Mr. LIPPINCOTT. Yes I do, Mr. Speaker. I had talked to the gentleman from Blair previously, and he, I believe, will accept that amendment.

The SPEAKER pro tempore. In that instance the amendment will be accepted without objection, but that would require a vote on the amendment and then a vote on the motion. Could we have the original motion redrawn and remade by the gentleman from Blair to include your amendments?

We are attempting to put the question, and I will ask the gentleman from Allegheny, Mr. Filo, to yield to the Majority Leader.

The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I was only going to state that the amendment was satisfactory, but I yield to the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, since the gentleman from Delaware, Mr. Lippincott, brought to the attention of the House that these soap box races would probably be included in this legislation, I just want to bring to the attention of the Members of the House that during many local affairs in various communities they hold bicycle races too. Would this not be considered as a vehicle?

The SPEAKER pro tempore. The Chair repeats that we are in some confusion as to what motion is before the House. The Chair calls upon the gentleman from Blair, Mr. Auker, to withdraw his previous motion and to restate it, and include the proposed amendments the gentleman from Delaware suggested.

#### MOTION WITHDRAWN

Mr. AUKER. Mr. Speaker, I will try to do it.

Mr. Speaker, I will withdraw my previous motion and, for the purpose of clarifying the records, restate the motion.

#### MOTION AS TO LEGISLATIVE INTENT

Mr. AUKER. Mr. Speaker, I move you that the remarks made by the gentleman from Green, Mr. McCann, the Majority Floor Leader of the House, on House Bill No. 63, Printer's No. 1285, and also the remarks of the gentleman from Delaware, Mr. Lippincott, as to legislative intent on the same bill, be made a matter of record by a roll call of this House.

On the question,

Will the House agree to the motion?

Mr. LIPPINCOTT. Mr. Speaker, I would just like to answer the gentleman from Allegheny, Mr. Filo. A bicycle is excluded from the definition of a vehicle under the Motor Vehicle Code.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. AUKER and LIPPINCOTT and were as follows:

#### YEAS—176

Agnew,	Gallagher,	McDonald,	Renwick,
Anderson,	Garlock,	McInroy,	Rigby,
Arlene,	George,	McKeever,	Riley,
Ashton,	Goldstein,	McLaughlin,	Rovansek,
Auker,	Goodrich,	Machmer,	Royer,
Balthaser,	Gramlich,	Magee,	Rudisill,
Barton,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvins,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Stroup,
Dennison,	Jump,	Musto,	Tompkins,
Devlin,	Kamyk,	Naugle,	Ujbai,
Donahue,	Keiser,	Needham,	Varallo,
Donaldson,	Kernaghan,	Nelson,	Varnier,
Dougherty,	Kessler,	O'Dell,	Verona,
Down,	Knecht,	O'Donnell, J. A.,	Wall,
Edwards,	Kooker,	O'Donnell, J. P.,	Walsh,
Eilberg,	Korns,	Odorisio,	Wargo,
Eshback,	Kovolenko,	Ogilvie,	Weidner,
Eshleman,	Kubitsky,	O'Neil,	Whittaker,
Ewing,	Lamb,	Parlante,	Williams, A.D., Jr.,
Farabaugh,	Lee, A. M.,	Pashley,	Williams, E. S.,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willard,
Filo,	Leonard,	Perry, P. E.,	Willaredt,
Fineman,	Light,	Petrosky,	Wilt,
Floyd,	Limper,	Polaski,	Worley,
Flynn,	Lippincott,	Polen,	Wynd,
Foerster,	Lopresti,	Prendergast,	Yatron,
Fox,	Luigard,	Price,	Yetter,
Frank,	Lutty,	Pursley,	Zimmerman,
Frascella,	McCandless,	Reibman,	Andrews,
Fulmer,	McCann,	Reidenbach,	Speaker
Galley,			

#### NAYS—0

#### NOT VOTING—32

Bell,	Curwood,	McCormack,	Sullivan,
Blair,	Dennis,	Mihm,	Taylor,
Boris,	Gelfand,	Moran,	Thompson,
Branca,	Gibb,	Murray, P. G.,	Trusio,
Brenninger,	Heavey,	Schwartz,	Welsh,
Breth,	Heffner,	Snare,	Wescott,
Brown,	Kee,	Stevens,	Wheeler,
Cooper,	Kornick,	Strausser,	Wood,

So the question was determined in the affirmative and the motion was agreed to.



## BILL PASSED OVER

There being no objection

House Bill No. 263, Printer's No. 1349 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 648, entitled:

An Act amending "The Divorce Law" approved May 2, 1929 (P. L. 1237) enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Gallagher,	McDonald,	Renwick,
Anderson,	Garlock,	McInroy,	Rigby,
Arlene,	George,	McKeever,	Riley,
Ashton,	Goldstein,	McLaughlin,	Rovansek,
Auker,	Goodrich,	Machmer,	Royer,
Balthaser,	Gramlich,	Magee,	Rudisill,
Barton,	Guthrie,	Mahan,	Sakulsky,
Boies,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irviss,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Stroup,
Dennison,	Jump,	Musto,	Tompkins,
Devlin,	Kamyk,	Naugle,	Ujohal,
Donahue,	Kelser,	Needham,	Varallo,
Donaldson,	Kernaghan,	Nelson,	Varner,
Dougherty,	Kessler,	O'Dell,	Verona,
Down,	Knecht,	O'Donnell, J. A.,	Wall,
Edwards,	Kooker,	O'Donnell, J. P.	Walsh,
Ellberg,	Korns,	Odoristo,	Wargo,
Eshback,	Kovolenko,	Ogilvie,	Weldner,
Eshleman,	Kubitsky,	O'Neill,	Whittaker,
Ewing,	Lamb,	Parlante,	Williams, A. D., Jr.,
Farabaugh,	Lee, A. M.,	Pashley,	Williams, E. S.,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willard,
Flo,	Leonard,	Perry, P. E.,	Willaredt,
Fineman,	Light,	Petrosky,	Wilt,
Floyd,	Limper,	Polaski,	Worley,
Flynn,	Lippincott,	Polen,	Wynd,
Foerster,	Lopresti,	Prendergast,	Yatron,
Fox,	Luigard,	Price,	Yetter,
Frank,	Lutty,	Pursley,	Zimmerman,
Frascella,	McCandless,	Reibman,	Andrews,
Fulmer,	McCann,	Reidenbach,	Speaker
Galley,			

## NAYS—0

## NOT VOTING—32

Bell,	Curwood,	McCormack,	Sullivan,
Blair,	Dennis,	Mihm,	Taylor,
Boris,	Gelfand,	Moran,	Thompson,
BraLca,	Gibb,	Murray, P. G.,	Trusio,
Brenninger,	Heavey,	Schwartz,	Welsh,
Breth,	Heffner,	Snare,	Wescott,
Brown,	Kee,	Stevens,	Wheeler,
Cooper,	Kornick,	Strausser,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 748, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) making it a crime to sell or offer for sale certain home appliances without proper identification.

On the question,

Shall the bill pass finally?

Mr. MERRY. Mr. Speaker, I just wanted to ask a question before the bill is voted on about used appliances and things of that sort, wherein the dealer was not able to identify the model that he was offering for sale because the tag was lost, is he still a criminal when he does that? Unintentionally, that can happen in a business day on appliances particularly.

The SPEAKER pro tempore. Will the sponsor of the bill, Mr. Murphy from Washington, permit himself to be interrogated?

Mr. A. J. MURPHY. Yes, Mr. Speaker, I shall.

Mr. MERRY. Mr. Speaker, the question was in regard more to used than to new appliances. Does this bill intend to make a criminal out of any used dealer if he cannot find the numbers and designations of the refrigerator that he has in stock?

Mr. A. J. MURPHY. Mr. Speaker, I might say that, of course, the dealer cannot be a criminal. This is a summary offense. It is not a court of record and he cannot be characterized as a criminal for failing to do so. He would be, however, guilty and subject to a summary fine on conviction.

Mr. MERRY. Mr. Speaker, it seems to me to be a terrifically high fine for such a small offense, and that in a good many cases he would be innocent and unable to comply with this law.

Mr. A. J. MURPHY. Mr. Speaker, I agree with the gentleman, and that is why the bill was amended yesterday to make the fine not exceeding \$100. formerly the bill read a fine of \$100. We recognized that and decided to place the words "not exceeding" so that the magistrate might take into consideration such a circumstance and could fine the man as low as \$1 and costs.

Mr. MERRY. Well, I just wanted to go on record as saying that the bill in its intent seemed to be good, but still it is laying open for prosecution a good many salesmen who had no intention to defraud the people.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—162

Agnew,	Frank,	McDonald,	Renwick,
Anderson,	Frascella,	McInroy,	Rigby,
Arlene,	Fulmer,	McKeever,	Riley,
Ashton,	Galley,	McLaughlin,	Rovansek,
Auker,	Gallagher,	Machmer,	Royer,
Balthaser,	Garlock,	Magee,	Rudisill,
Barton,	George,	Markley,	Sakulsky,
Blair,	Gramlich,	Maxwell,	Scarcelli,
Boies,	Guthrie,	Meholchick,	Schaaf,
Bonner,	Hamilton,	Miller, B. Z.,	Schuster,
Bower,	Helm,	Miller, H. G.,	Seltzer,
Bowman,	Henzel,	Mills,	Sherman,
Buchanan,	Hocker,	Monroe,	Shupnik,

Burns,	Holliday,	Muldowney,	Snider,
Capano,	Holt,	Mullen,	Stank,
Capitolo,	Irviss,	Munley,	Steckel,
Cianfrani,	Jenkins,	Murphy, A. J., Jr.	Stewart,
Cioffi,	Jim,	Murphy, P. J.,	Stimmel,
Clarke,	Johnson, A. W.,	Murray, H. P.,	Stone,
Comer,	Johnson, R.,	Murray, J. J.,	Stoner,
Crossin,	Jones, F. R.,	Musto,	Stroup,
Davis,	Jones, T. H. W.,	Naugle,	Ujobai,
Dengler,	Jump,	Needham,	Varallo,
Dennison,	Kamyk,	Nelson,	Varner,
Devlin,	Keiser,	O'Dell,	Verona,
Donahue,	Knecht,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kooker,	O'Donnell, J. P.	Wargo,
Dougherty,	Korns,	Odorisio,	Weidner,
Down,	Kovolenko,	Ogilvie,	Williams, A.D., Jr.,
Edwards,	Kubitsky,	O'Neill,	Williams, E. S.,
Eilberg,	Lamb,	Parlante,	Willard,
Eshback,	Lee, A. M.,	Pashley,	Willaredt,
Eshleman,	Lee, K. B.,	Perry, H. H.,	Wilt,
Ewing,	Leonard,	Perry, P. E.,	Worley,
Farabaugh,	Limper,	Petrosky,	Wynd,
Filo,	Lippincott,	Polaski,	Yatron,
Fineman,	Lopresti,	Polen,	Yetter,
Floyd,	Luigard,	Prendergast,	Zimmerman,
Flynn,	Lutty,	Price,	Andrews,
Foerster,	McCandless,	Reibman,	Speaker
Fox,	McCann,	Reidenbach,	

## NAYS—15

Fetterolf,	Isaacs,	Mahan,	Tompkins,
Goldstein,	Kernaghan,	Merry,	Wall,
Goodrich,	Kessler,	Pursley,	Whittaker,
Horst,	Light,	Silverman,	

## NOT VOTING—31

Bell,	Dennis,	Mihm,	Taylor,
Boris,	Gelfand,	Moran,	Thompson,
Branca,	Gibb,	Murray, P. G.,	Trusio,
Brenninger,	Heavey,	Schwartz,	Welsh,
Breth,	Heffner,	Snare,	Wescott,
Brown,	Kee,	Stevens,	Wheeler,
Cooper,	Kornick,	Strausser,	Wood,
Curwood,	McCormack,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 954, Printer's No. 1248;

House Bill No. 1018, Printer's No. 1308;

House Bill No. 1058, Printer's No. 1350;

House Bill No. 1059, Printer's No. 1353 and

House Bill No. 1197, Printer's No. 967

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1405, entitled:

An Act amending the act of April 6, 1951 (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed \* \* \*" authorizing legal action to restrain or prohibit the establishing conducting or operating of institutions subject to supervision by such departments in violation of rules and regulations.

On the question,

Shall the bill pass finally?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—107

Anderson,	Frascella,	Meholchick,	Riley,
Arlene,	Galley,	Mills,	Rovansek,
Balthaser,	Gallagher,	Monroe,	Rudisill,
Barton,	Garlock,	Muldowney,	Sakulsky,
Blair,	Guthrie,	Mullen,	Scarcelli,
Boles,	Hamilton,	Munley,	Schaaf,
Bonner,	Helm,	Murphy, A. J., Jr.	Schuster,
Burns,	Holt,	Murray, J. J.,	Sherman,
Capano,	Irviss,	Musto,	Shupnik,
Capitolo,	Jenkins,	Needham,	Silverman,
Cianfrani,	Jim,	Nelson,	Snider,
Cioffi,	Jones, F. R.,	O'Donnell, J. A.,	Stank,
Clarke,	Kamyk,	O'Donnell, J. P.	Stewart,
Comer,	Knecht,	O'Neill,	Stone,
Crossin,	Kovolenko,	Parlante,	Ujobai,
Dennison,	Lamb,	Pashley,	Varallo,
Devlin,	Leonard,	Perry, H. H.,	Varner,
Donahue,	Limper,	Perry, P. E.,	Verona,
Dougherty,	Lopresti,	Petrosky,	Walsh,
Eilberg,	Luigard,	Polaski,	Wargo,
Farabaugh,	Lutty,	Polen,	Whittaker,
Filo,	McCann,	Prendergast,	Williams, A.D., Jr.,
Fineman,	McDonald,	Pursley,	Williams, E. S.,
Floyd,	McKeever,	Reibman,	Yatron,
Flynn,	McLaughlin,	Reidenbach,	Yetter,
Foerster,	Machmer,	Renwick,	Andrews,
Frank,	Maxwell,	Rigby,	Speaker

## NAYS—70

Agnew,	Goldstein,	Lee, A. M.,	Ogilvie,
Ashton,	Goodrich,	Lee, K. B.,	Price,
Auker,	Gramlich,	Light,	Royer,
Bower,	Henzel,	Lippincott,	Seltzer,
Bowman,	Hocker,	McCandless,	Steckel,
Buchanan,	Holliday,	McInroy,	Stimmel,
Davis,	Horst,	Magee,	Stoner,
Dengler,	Isaacs,	Mahan,	Stroup,
Donaldson,	Johnson, A. W.,	Markley,	Tompkins,
Down,	Johnson, R.,	Merry,	Wall,
Edwards,	Jones, T. H. W.,	Miller, B. Z.,	Weidner,
Eshback,	Jump,	Miller, H. G.,	Willard,
Eshleman,	Keiser,	Murphy, P. J.,	Willaredt,
Ewing,	Kernaghan,	Murray, H. P.,	Wilt,
Fetterolf,	Kessler,	Naugle,	Worley,
Fox,	Kooker,	O'Dell,	Wynd,
Fulmer,	Korns,	Odorisio,	Zimmerman,
George,	Kubitsky,		

## NOT VOTING—31

Bell,	Dennis,	Mihm,	Taylor,
Boris,	Gelfand,	Moran,	Thompson,
Branca,	Gibb,	Murray, P. G.,	Trusio,
Brenninger,	Heavey,	Schwartz,	Welsh,
Breth,	Heffner,	Snare,	Wescott,
Brown,	Kee,	Stevens,	Wheeler,
Cooper,	Kornick,	Strausser,	Wood,
Curwood,	McCormack,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1542 Printer's No. 1253

was passed over at the request of the Speaker pro tempore.

## ANNOUNCEMENT

Mr. McCANN. For the information of many of the members who have been asking as to our time schedule, we intend to break at 1:15 for lunch.

Mr. Speaker, many people have held off eating lunch



because I have asked them to stay here and that we would have a break in the cafeteria after the normal noon-hour lunch is over. In that way we can handle our people a lot quicker, so we will work until 1:15. We will only break for 30 minutes and everybody eat lunch and come right back, for the sooner we get back the sooner you can leave and go home. I think everyone should do that because some of the Members who have talked to me here this morning said they had been waiting a good while to eat lunch and if it is too far away they will have to leave now and get a bite, since some have not eaten breakfast yet.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1597, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) requiring persons who distribute catalogs and other advertising material and by reason thereof accept orders for merchandise from residence of this Commonwealth to be licensed and file returns.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 1597, Printer's No. 1355, was amended yesterday to make the bill somewhat better by some correctional amendments by the gentleman from Erie, Mr. O'Dell. He informed me that the bill is in very good shape.

We have caucused on the bill prior to the amendments and the amendments made the bill a better bill. If the bill is on the Members' desks now we would like to vote on it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—177

Agnew,	Galley,	McDonald,	Renwick,
Andersson,	Gallagher,	McInroy,	Rigby,
Arlene,	Garlock,	McKeever,	Riley,
Ashton,	George,	McLaughlin,	Rovansek,
Auker,	Goldstein,	Machmer,	Royer,
Balthaser,	Goodrich,	Magee,	Rudisill,
Barton,	Gramlich,	Mahan,	Sakulsky,
Blair,	Guthrie,	Markley,	Scarcelli,
Boles,	Hamilton,	Maxwell,	Schaaf,
Bonner,	Helm,	Meholchick,	Schuster,
Bower,	Henzel,	Merry,	Seltzer,
Bowman,	Hocker,	Miller, B. Z.,	Sherman,
Buchanan,	Holliday,	Miller, H. G.,	Shupnik,
Burns,	Holt,	Mills,	Silverman,
Capano,	Horst,	Monroe,	Snider,
Capitolo,	Irviss,	Muldowney,	Stank,
Cianfrani,	Isaacs,	Mullen,	Steckel,
Cioffi,	Jenkins,	Munley,	Stewart,
Clarke,	Jim,	Murphy, A. J., Jr.	Stimmel,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Crossin,	Johnson, R.,	Murray, H. P.,	Stoner,
Davis,	Jones, F. R.,	Murray, J. J.,	Stroup,
Dengler,	Jones, T. H. W.,	Musto,	Tompkins,
Dennison,	Jump,	Naugle,	Ujobai,
Devlin,	Kamyk,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varnier,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.,	Walsh,
Edwards,	Kooker,	Odorisio,	Wargo,
Eilberg,	Korns,	Ogilvie,	Weidner,
Eshback,	Kovolenko,	O'Neil,	Whittaker,
Eshleman,	Kubitsky,	Parlante,	Williams, A. D., Jr.
Ewing,	Lamb,	Pashley,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Willard,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	Willaredt,

Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,

Leonard,  
Light,  
Limper,  
Lippincott,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,  
McCann,

Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,

Wilt,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

#### NAYS—0

#### NOT VOTING—31

Bell,  
Boris,  
Branca,  
Brenninger,  
Breth,  
Brown,  
Cooper,  
Curwood,

Dennis,  
Gelfand,  
Gibb,  
Heavey,  
Heffner,  
Kee,  
Kornick,  
McCormack,

Mihm,  
Moran,  
Murray, P. G.,  
Schwartz,  
Snare,  
Stevens,  
Strausser,  
Sullivan,

Taylor,  
Thompson,  
Trusio,  
Welsh,  
Wescott,  
Wheeler,  
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1639 Printer's No. 1301 and all bills on final passage on pages 16 and 17 were passed over at the request of the Speaker pro tempore.

#### BILLS ON FINAL PASSAGE POSTPONED

#### BILL PASSED OVER

There being no objection

House Bill No. 1365 Printer's No. 514 was passed over at the request of the SPEAKER pro tempore.

#### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1376, Printer's No. 632, on page 17 of today's calendar, bills on final passage postponed.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 56, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law \* \* \* and providing for the reinstatement of the liens of such claims and judgements.

On the question,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, line 1, by inserting after "when-ever" "heretofore or hereafter"

Amend Sec. 1, page 2, line 3, by striking out "heretofore"

Amend Sec. 1, page 2, line 6, by striking out "heretofore"

Amend Sec. 1, page 2, line 10, by striking out "heretofore"

Amend Sec. 1, page 3, line 1, by inserting after "when-ever" "heretofore or hereafter"

Amend Sec. 1, page 3, line 6, by striking out "when-ever" and inserting "whenever heretofore or hereafter"

Amend Sec. 1, page 3, line 13, by inserting after "case" "heretofore or hereafter occurring"

Amend Sec. 1, page 3, lines 14 and 15, by striking out "within six months" and inserting: "at any time"

Amend Sec. 1, page 3, line 17, by striking out "issued" and inserting: "issue"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

House Bill No. 133, Printer's No. 1195;

House Bill No. 268, Printer's No. 1123;

House Bill No. 309, Printer's No. 1197; and

House Bill No. 325, Printer's No. 999.

were passed over at the request of the Speaker pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 649, entitled:

An Act amending "The Pennsylvania Civil Procedural Support Law" approved July 13, 1953 (P. L. 431) providing for the establishment of a Domestic Relations Division in each county and further defining the powers and duties of the Domestic Relations Division and probation officers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—177

Agnew,	Galley,	McDonald,	Renwick,
Anderson,	Gallagher,	McInroy,	Rigby,
Arlene,	Garlock,	McKeever,	Riley,
Ashton,	George,	McLaughlin,	Rovansek,
Auker,	Goldstein,	Machmer,	Royer,
Balthaser,	Goodrich,	Magee,	Rudisill,
Barton,	Gramlich,	Mahan,	Sakulsky,
Blair,	Guthrie,	Markley,	Scarcelll,
Boles,	Hamilton,	Maxwell,	Schaaf,
Bonner,	Helm,	Meholchick,	Schuster,
Bower,	Henzel,	Merry,	Seltzer,
Bowman,	Hocker,	Miller, B. Z.,	Sherman,
Buchanan,	Holliday,	Miller, H. G.,	Shupnik,
Burns,	Holt,	Mills,	Silverman,
Capano,	Horst,	Monroe,	Snider,
Capitoio,	Irvis,	Muldowney,	Stank,
Cianfrani,	Isaacs,	Mullen,	Steckel,
Cioffi,	Jenkins,	Munley,	Stewart,
Clarke,	Jim,	Murphy, A. J., Jr.	Stimmel,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Crossin,	Johnson, R.,	Murray, H. P.,	Stoner,

Davis,	Jones, F. R.,	Murray, J. J.,	Stroup,
Dengler,	Jones, T. H. W.,	Musto,	Tompkins,
Dennison,	Jump,	Naugle,	Ujobai,
Devlin,	Kamyk,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varner,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.,	Walsh,
Edwards,	Kooker,	Odorisio,	Wargo,
Ellberg,	Korns,	Ogilvie,	Weidner,
Eshback,	Kovolenko,	O'Neill,	Whittaker,
Eshleman,	Kubitsky,	Parlante,	Williams, A.D., Jr.,
Ewing,	Lamb,	Pashley,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Willard,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	Willaredt,
Filo,	Leonard,	Petrosky,	Wilt,
Fineman,	Light,	Polaski,	Worley,
Floyd,	Limper,	Polen,	Wynd,
Flynn,	Lippincott,	Prendergast,	Yatron,
Foerster,	Lopresti,	Price,	Yetter,
Fox,	Lulgard,	Pursley,	Zimmerman,
Frank,	Lutty,	Reibman,	Andrews,
Frascella,	McCandless,	Reidenbach,	Speaker
Fulmer,	McCann,		

#### NAYS—0

#### NOT VOTING—31

Bell,	Dennis,	Mihm,	Taylor,
Boris,	Gelfand,	Moran,	Thompson,
Branca,	Gibb,	Murray, P. G.,	Trusio,
Brenninger,	Heavey,	Schwartz,	Welsh,
Bre'n,h,	Heffner,	Snare,	Wescott,
Brown,	Kee,	Stevens,	Wheeler,
Cooper,	Kornick,	Strausser,	Wood,
Curwood,	McCormack,	Sullivan,	

The majority required by the Constituion having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 740, Printer's No. 199;

House Bill No. 757, Printer's No. 1277;

House Bill No. 893, Printer's No. 1273;

House Bill No. 953, Printer's No. 1083;

House Bill No. 1055, Printer's No. 1309;

were passed over at the request of the SPEAKER pro tempore.

Mr. A. W. JOHNSON. These bills have been amended and we have not caucused on them. The understanding was that there would be an explanation made on the floor by those who are on the special committee as to the effect of 1173 and 1175 at the present time as amended, and if the explanation was satisfactory it would be all right to roll the bills.

Mr. McCANN. Mr. Speaker, 1173 and 1175, the two bills that—

The SPEAKER pro tempore. Will the gentleman yield to the gentleman from Dauphin, Mr. Bowman?

Mr. McCANN. I would be most pleased to, sir.

Mr. BOWMAN. I dislike raising this question, but at least in the files of this section we do not have that bill in print.

Mr. LIPPINCOTT. The only thing I would like to say is that I think these bills should be caucused on. The understanding of the Committee was that they would be put in print and then caucused on. They have a very real effect on all the Members of this House, and I think that should be done.



## BILLS ON THIRD READING

## BILLS PASSED OVER

There being no objection

House Bill No. 1173, Printer's No. 1310;

House Bill No. 1175, Printer's No. 1311;

House Bill No. 1195, Printer's No. 1268;

House Bill No. 1450, Printer's No. 1286; and

House Bill No. 1554, Printer's No. 1209.

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating employes' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Agnew,	Gailey,	McDonald,	Renwick,
Anderson,	Gallagher,	McInroy,	Rigby,
Arlene,	Garlock,	McKeever,	Riley,
Ashton,	George,	McLaughlin,	Rovanssek,
Auker,	Goldstein,	Machmer,	Royer,
Balthaser,	Goodrich,	Magee,	Rudisill,
Barton,	Gramlich,	Mahan,	Sakulsky,
Blair,	Guthrie,	Markley,	Scarcelli,
Boies,	Hamilton,	Maxwell,	Schaaf,
Bonner,	Helm,	Meholchick,	Schuster,
Bower,	Henzel,	Merry,	Seltzer,
Bowman,	Hocker,	Miller, B. Z.,	Sherman,
Buchanan,	Holliday,	Miller, H. G.,	Shupnik,
Burns,	Holt,	Mills,	Silverman,
Capano,	Horst,	Monroe,	Snider,
Capitolo,	Irvis,	Muldowney,	Stank,
Cianfrani,	Isaacs,	Mullen,	Steckel,
Cioffi,	Jenkins,	Munley,	Stewart,
Clarke,	Jim,	Murphy, A. J., Jr.	Stimmel,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Crossin,	Johnson, R.,	Murray, H. P.,	Stoner,
Davis,	Jones, F. R.,	Murray, J. J.,	Stroup,
Dengler,	Jones, T. H. W.,	Musto,	Tompkins,
Dennison,	Jump,	Naugle,	Ujobai,
Devlin,	Kamyk,	Needham,	Varallo,
Donahue,	Kelser,	Nelson,	Varner,
Donaldson,	Kernaghan,	O'Dell,	Verona,
Dougherty,	Kessler,	O'Donnell, J. A.,	Wall,
Down,	Knecht,	O'Donnell, J. P.,	Walsh,
Edwards,	Kooker,	Odorisio,	Wargo,
Ellberg,	Korns,	Ogilvie,	Weidner,
Eshback,	Kovolenko,	O'Neil,	Whittaker,
Eshleman,	Kubitsky,	Parlante,	Williams, A.D., Jr.,
Ewing,	Lamb,	Pashley,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Perry, H. H.,	Willard,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	Willaredt,
Filo,	Leonard,	Petrosky,	Wilt,
Fineman,	Light,	Polaski,	Worley,
Floyd,	Limper,	Polen,	Wynd,
Flynn,	Lippincott,	Prendergast,	Yatron,
Foerster,	Lopresti,	Price,	Yetter,
Fox,	Luigard,	Pursley,	Zimmerman,
Frank,	Lutty,	Reibman,	Andrews,
Frascella,	McCandless,	Reidenbach,	Speaker
Fulmer,	McCann,		

## NAYS—0

## NOT VOTING—31

Bell,	Dennis,	Mihm,	Taylor,
Boris,	Gelfand,	Moran,	Thompson,
Branca,	Gibb,	Murray, P. G.,	Trusio,

Brenninger,	Heavey,	Schwartz,	Welsh,
Breth,	Heffner,	Snare,	Wescott,
Brown,	Kee,	Stevens,	Wheeler,
Cooper,	Kornick,	Strausser,	Wood,
Curwood,	McCormack,	Sullivan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,

House Bill No. 1578, Printer's No. 1004,

House Bill No. 1637, Printer's No. 1224 and

House Bill No. 1640, Printer's No. 1150,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers conferring powers and imposing duties for the Department of Public Welfare.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—156

Agnew,	Gailey,	Mahan,	Rovanssek,
Anderson,	Gallagher,	Markley,	Royer,
Arlene,	Garlock,	Maxwell,	Rudisill,
Auker,	George,	Meholchick,	Sakulsky,
Balthaser,	Goldstein,	Miller, B. Z.,	Scarcelli,
Barton,	Guthrie,	Miller, H. G.,	Schaaf,
Blair,	Hamilton,	Mills,	Schuster,
Boies,	Helm,	Monroe,	Seltzer,
Bonner,	Henzel,	Muldowney,	Sherman,
Bower,	Holliday,	Mullen,	Shupnik,
Burns,	Holt,	Munley,	Silverman,
Capano,	Irvis,	Murphy, A. J., Jr.	Snider,
Capitolo,	Jenkins,	Murphy, P. J.,	Stank,
Cianfrani,	Jim,	Murray, H. P.,	Steckel,
Cioffi,	Johnson, A. W.,	Murray, J. J.,	Stewart,
Clarke,	Johnson, R.,	Musto,	Stimmel,
Comer,	Jones, F. R.,	Naugle,	Stone,
Crossin,	Jones, T. H. W.,	Needham,	Stoner,
Dengler,	Jump,	Nelson,	Stroup,
Dennison,	Kamyk,	O'Dell,	Tompkins,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Ujobai,
Donahue,	Kessler,	O'Donnell, J. P.,	Varallo,
Donaldson,	Kovolenko,	Odorisio,	Varner,
Dougherty,	Kubitsky,	O'Neil,	Verona,
Down,	Lamb,	Parlante,	Walsh,
Edwards,	Lee, A. M.,	Pashley,	Wargo,
Ellberg,	Lee, K. B.,	Perry, H. H.,	Weidner,
Eshback,	Leonard,	Perry, P. E.,	Whittaker,
Eshleman,	Light,	Petrosky,	Williams, A.D., Jr.,
Ewing,	Limper,	Polaski,	Williams, E. S.,
Farabaugh,	Lopresti,	Polen,	Willard,
Filo,	Luigard,	Prendergast,	Willaredt,
Fineman,	Lutty,	Price,	Wilt,
Floyd,	McCann,	Pursley,	Worley,
Flynn,	McDonald,	Reibman,	Wynd,
Foerster,	McInroy,	Reidenbach,	Yatron,
Fox,	McKeever,	Renwick,	Yetter,
Frank,	McLaughlin,	Rigby,	Andrews,
Frascella,	Machmer,	Riley,	Speaker
Fulmer,			

## NAYS—21

Ashton,	Gramlich,	Knecht,	Magee,
Bowman,	Hocker,	Kooker,	Merry,
Buchanan,	Horst,	Korns,	Ogilvie,

Davis,  
Fetterolf,  
Goodrich,

Isaacs,  
Kelser,

Lippincott,  
McCandless,

Wall,  
Zimmerman,

### NOT VOTING—31

Bell,  
Boris,  
Branca,  
Brenninger,  
Breth,  
Brown,  
Cooper,  
Curwood,

Dennis,  
Gelfand,  
Gibb,  
Heavey,  
Heffner,  
Kee,  
Kornick,  
McCormack,

Mihm,  
Moran,  
Murray, P. G.,  
Schwartz,  
Snare,  
Stevens,  
Strausser,  
Sullivan,

Taylor,  
Thompson,  
Truslo,  
Welsh,  
Wescott,  
Wheeler,  
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS PASSED OVER

There being no objection,

House Bill No. 1651, Printer's No. 1176,

House Bill No. 1675, Printer's No. 1225,

House Bill No. 1701, Printer's No. 1294,

House Bill No. 1702, Printer's No. 1265 and

House Bill No. 1707, Printer's No. 1151,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—177

Agnew,  
Anderson,  
Arlene,  
Ashton,  
Auker,  
Balthaser,  
Barton,  
Blair,  
Boles,  
Bonner,  
Bower,  
Bowman,  
Buchanan,  
Burns,  
Capano,  
Capitolo,  
Cianfrani,  
Cioffi,  
Clarke,  
Comer,  
Crossin,  
Davis,  
Dengler,  
Dennison,  
Devlin,  
Donahue,  
Donaldson,  
Dougherty,  
Down,  
Edwards,  
Ellberg,  
Eshback,  
Eshleman,

Galley,  
Gallagher,  
Garlock,  
George,  
Goldstein,  
Goodrich,  
Gramlich,  
Guthrie,  
Hamilton,  
Helm,  
Henzel,  
Hocker,  
Holliday,  
Holt,  
Horst,  
Irlis,  
Isaacs,  
Jenkins,  
Jim,  
Johnson, A. W.,  
Johnson, R.,  
Jones, F. R.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Kelser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,  
Korns,  
Kovolenko,  
Kubitsky,

McDonald,  
McInroy,  
McKeever,  
McLaughlin,  
Machmer,  
Magee,  
Mahan,  
Markley,  
Maxwell,  
Meholchick,  
Merry,  
Miller, B. Z.,  
Miller, H. G.,  
Mills,  
Monroe,  
Muldowney,  
Mullen,  
Munley,  
Murphy, A. J., Jr.,  
Murphy, P. J.,  
Murray, H. P.,  
Murray, J. J.,  
Musto,  
Naugle,  
Needham,  
Nelson,  
O'Dell,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Odorisio,  
Ogilvie,  
O'Neil,  
Parlante,

Renwick,  
Rigby,  
Riley,  
Rovanssek,  
Royer,  
Rudisill,  
Sakulsky,  
Scarcelli,  
Schaaf,  
Schuster,  
Seltzer,  
Sherman,  
Shupnik,  
Silverman,  
Snider,  
Stank,  
Steckel,  
Stewart,  
Stimmell,  
Stone,  
Stoner,  
Stroup,  
Tompkins,  
Ujobai,  
Varallo,  
Varnier,  
Verona,  
Wall,  
Walsh,  
Wargo,  
Weldner,  
Whittaker,  
Williams, A. D., Jr.,

Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,

Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Light,  
Limper,  
Lippincott,  
Lopresti,  
Lulgard,  
Lutty,  
McCandless,  
McCann,

Pashley,  
Perry, H. H.,  
Perry, P. E.,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,

Williams, E. S.,  
Willard,  
Willaredt,  
Wilt,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

### NAYS—0

### NOT VOTING—31

Bell,  
Boris,  
Branca,  
Brenninger,  
Breth,  
Brown,  
Cooper,  
Curwood,

Dennis,  
Gelfand,  
Gibb,  
Heavey,  
Heffner,  
Kee,  
Kornick,  
McCormack,

Mihm,  
Moran,  
Murray, P. G.,  
Schwartz,  
Snare,  
Stevens,  
Strausser,  
Sullivan,

Taylor,  
Thompson,  
Truslo,  
Welsh,  
Wescott,  
Wheeler,  
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection,

House Bill No. 1729, Printer's No. 1051,

was passed over at the request of the SPEAKER pro tempore.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. STROUP for remainder of today's session.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1732, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," defining "school bus," granting a credit for certain suspensions toward revocation penalties, including motorcycles within the provisions relating to reflectors and reflective materials prohibiting amber lights on parked vehicles providing for enforcement of equipment requirements further defining the duty to stop in the event of an accident further providing for the time in which to bring certain actions further providing for certain appeals from orders or acts of the secretary and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—176

Agnew,  
Anderson,  
Arlene,  
Ashton,  
Auker,  
Balthaser,

Gallagher,  
Garlock,  
George,  
Goldstein,  
Goodrich,  
Gramlich,

Galley,  
McDonald,  
McInroy,  
McKeever,  
McLaughlin,  
Machmer,

Reidenbach,  
Renwick,  
Rigby,  
Riley,  
Rovanssek,  
Royer,



Barton,	Guthrie,	Magee,	Rudisill,
Blair,	Hamilton,	Mahan,	Sakulsky,
Boles,	Helm,	Markley,	Scarcelli,
Bonner,	Henzel,	Maxwell,	Schaaf,
Bower,	Hocker,	Meholchick,	Schuster,
Bowman,	Holliday,	Merry,	Seltzer,
Buchanan,	Holt,	Miller, B. Z.,	Sherman,
Burns,	Horst,	Miller, H. G.,	Shupnik,
Capano,	Irvis,	Mills,	Silverman,
Capitolo,	Isaacs,	Monroe,	Snider,
Cianfrani,	Jenkins,	Muldowney,	Stank,
Cioffi,	Jim,	Mullen,	Steckel,
Clarke,	Johnson, A. W.,	Munley,	Stewart,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Stone,
Davis,	Jones, T. H. W.,	Murray, H. P.,	Stoner,
Dengler,	Jump,	Murray, J. J.,	Tompkins,
Dennison,	Kamyk,	Musto,	Ujobai,
Devlin,	Keiser,	Naugle,	Varallo,
Donahue,	Kernaghan,	Needham,	Varner,
Donaldson,	Kessler,	Nelson,	Verona,
Dougherty,	Knecht,	O'Dell,	Wall,
Down,	Kooker,	O'Donnell, J. A.,	Walsh,
Edwards,	Korns,	O'Donnell, J. P.	Wargo,
Eilberg,	Kovolenko,	Odoriso,	Weidner,
Eshback,	Kubitsky,	Ogilvie,	Whittaker,
Eshleman,	Light,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lee, A. M.,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Pashley,	Willard,
Fetterolf,	Leonard,	Perry, H. H.,	Willaredt,
Filo,	Light,	Perry, P. E.,	Wilt,
Fineman,	Limper,	Petrosky,	Worley,
Floyd,	Lippincott,	Polaski,	Wynd,
Flynn,	Lopresti,	Polen,	Yatron,
Foerster,	Luigard,	Prendergast,	Yetter,
Fox,	Lutty,	Price,	Zimmerman,
Frank,	McCandless,	Pursley,	Andrews,
Frascella,	McCann,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1733, Printer's No. 1227, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further regulating the exercise of powers by the Department of Banking and boards thereof \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odoriso,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1873, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to furnish employes with instructions on their rights in the event of an accident.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, the gentleman from Westmoreland, Mr. Sakulsky, on 1873, desires to explain the position pertaining to the bill about the pamphlets that

the insurance companies have available and have been distributing.

Mr. SAKULSKY. Mr. Speaker, and . . .

The SPEAKER pro tempore. Will the gentleman yield? Does the gentleman desire to explain both bills at this time?

Mr. SAKULSKY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SAKULSKY. Mr. Speaker, House Bill 1873, an act amending the Workmen's Compensation Act requires employers to furnish employes with instructions on their rights in event of accidents and states that every employer liable under this act to pay compensation shall at the time of hiring any employe furnish such employe with a brochure of instructions in such form as the department may prescribe, setting forth the rights of such employes in the event of an accident and informing him of the time and manner in which claims should be filed. Such employers shall furnish said instructions to existing employes within ninety days after the effective date of this amendatory act.

Under this Act an employe may become better acquainted with his legal rights under the Workmen's Compensation Act, and in event of an accident, the employe would know the procedure he must follow to become eligible for benefits.

This bill, if allowed to become a law, will not cause a hardship or undue expense to the employer, as most insurance companies have such a brochure available for employes. However, under the present law they are not compelled to furnish employers with their brochures. The Department of Labor and Industry, through the State Department's Insurance Fund, issues the brochure to such employers to be distributed amongst the employes. This brochure will not only benefit the employe but the employer as well, as the brochure explains not only the law but gives the employe instructions in event of a claim under such Workmen's Compensation Act.

Since the insurance companies, the Department of Labor and Industry and the State Workmen's Fund have been publishing a brochure, giving full instructions to the employee and his legal rights in event of an accident, or an occupational disease, the cost will be relatively small in requiring the employer to furnish the employee with such a brochure.

I am sure that all insurance companies issuing workmen's compensation policies to their assured will not object to supplying the necessary brochures in the amounts needed by the employer.

This brochure would also benefit the employer because many employees plead ignorance as to their knowledge of the Workmen's Compensation Act and the Occupational Disease Act, and in many cases the employees based their reasons for not filing claims in time on such ignorance of the Workmen's Compensation Act and the Occupational Disease Act. Since all insurance companies do their own printing, the cost will be relatively small.

The type of brochure that is issued by the State Workmen's Insurance Fund is the type that I am holding in my hand. Various insurance companies and unions furnish this type of brochure.

House Bill 1877 is a companion bill to House Bill 1883.

I ask that every Member vote for House Bill 1873 and also 1877.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—175

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Clanfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Edwards,	Knecht,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kooker,	O'Donnell, J. P.	Wargo,
Eshback,	Korns,	Odorisio,	Weidner,
Eshleman,	Kovolenko,	Ogilvie,	Whittaker,
Ewing,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Parlante,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Pashley,	Willard,
Filo,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Fineman,	Leonard,	Perry, P. E.,	Wilt,
Floyd,	Light,	Petrosky,	Worley,
Flynn,	Limper,	Polaski,	Wynd,
Foerster,	Lippincott,	Polen,	Yatron,
Fox,	Lopresti,	Prendergast,	Yetter,
Frank,	Luigard,	Price,	Zimmerman,
Frascella,	Lutty,	Pursley,	Andrews,
Fulmer,	McCandless,	Reibman,	Speaker

#### NAYS—1

Down,

#### NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1877, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.



And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcell,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irviss,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Edwards,	Knecht,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kooker,	O'Donnell, J. P.	Wargo,
Eshback,	Korns,	Odorisio,	Weidner,
Eshleman,	Kovolenko,	Ogilvie,	Whittaker,
Ewing,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Parlante,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Pashley,	Willard,
Filo,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Fineman,	Leonard,	Perry, P. E.,	Wilt,
Floyd,	Light,	Petrosky,	Worley,
Flynn,	Limper,	Polaski,	Wynd,
Foerster,	Lippincott,	Polen,	Yatron,
Fox,	Lopresti,	Prendergast,	Yetter,
Frank,	Luigard,	Price,	Zimmerman,
Frascella,	Lutty,	Pursley,	Andrews,
Fulmer,	McCandless,	Reibman,	Speaker

## NAYS—1

Down,

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1884, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcell,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irviss,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odorisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1897, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216) further regulating the disbursement of funds by brokers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odorisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Francelli,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,  
House Bill No. 1906, Printers' No. 1292,  
House Bill No. 1909, Printer's No. 1280,  
Houses Bill No. 1911, Printer's No. 1281 and  
House Bill No. 1912, Printer's No. 1282,  
were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1937, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) excepting certain operators and owners from certain requirements as to security and suspension.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odorisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Francelli,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,



House Bill No. 1940, Printer's No. 1057,  
House Bill No. 1941, Printer's No. 1058 and  
House Bill No. 1944, Printer's No. 1290,  
were passed over at the request of the SPEAKER pro  
tempore.

Agreeably to order,

The House proceeded to the third reading and con-  
sideration of House Bill No. 1945, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending re-vising consolidating and changing the laws relating thereto" further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boies,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnar,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Ellberg,	Korns,	Odoriso,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—1

Worley,

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavy,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1955, entitled:

An Act amending the act of May 29, 1933 (P. L. 1088) entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund \* \* \* providing for loans of money between the Motor License Fund and the General Fund under certain conditions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boies,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnar,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Ellberg,	Korns,	Odoriso,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavy,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—171

Agnew,	Fulmer,	McCann,	Reidenbach,
Anderson,	Galley,	McDonald,	Renwick,
Arlene,	Gallagher,	McInroy,	Rigby,
Ashton,	Garlock,	McKeever,	Riley,
Balthaser,	George,	McLaughlin,	Rovanssek,
Barton,	Goodrich,	Machmer,	Royer,
Blair,	Gramlich,	Magee,	Rudisill,
Boies,	Guthrie,	Mahan,	Sakulsky,
Bonner,	Hamilton,	Markley,	Scarcelli,
Bower,	Helm,	Maxwell,	Schaaf,
Bowman,	Henzel,	Meholchick,	Schuster,
Buchanan,	Hocker,	Merry,	Seltzer,
Burns,	Holliday,	Miller, B. Z.,	Sherman,
Capano,	Holt,	Mills,	Shupnik,
Capitolo,	Horst,	Monroe,	Silverman,
Cianfrani,	Irvis,	Muldowney,	Snider,
Cioffi,	Isaacs,	Mullen,	Stank,
Clarke,	Jenkins,	Munley,	Steckel,
Comer,	Jim,	Murphy, A. J., Jr.	Stewart,
Crossin,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Davis,	Johnson, R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odoriso,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willardt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker

#### NAYS—5

Auker,	Jones, T. H. W.,	Stimmel,
Goldstein,	Miller, H. G.,	

#### NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavy,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2031, entitled:

An Act amending "The Borough Code" approved May 4 1927 (P. L. 519) increasing the amount of contracts in which borough officials may have no interest.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovanssek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boies,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odoriso,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willardt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker

#### NAYS—0

#### NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibo,	Murray, P. G.,	Thompson,
Brenninger,	Heavy,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.



## BILLS PASSED OVER

There being no objection

House Bill No. 2033, Printer's No. 1270 and

House Bill No. 2034, Printer's No. 1261

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25 1947 (P. L. 1145) authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Fulmer,	McCandless,	Reibman,
Anderson,	Galley,	McCann,	Reidenbach,
Arlene,	Gallagher,	McDonald,	Renwick,
Ashton,	Garlock,	McInroy,	Rigby,
Auker,	George,	McKeever,	Riley,
Balthaser,	Goldstein,	McLaughlin,	Rovansek,
Barton,	Goodrich,	Machmer,	Royer,
Blair,	Gramlich,	Magee,	Rudisill,
Boles,	Guthrie,	Mahan,	Sakulsky,
Bonner,	Hamilton,	Markley,	Scarcelli,
Bower,	Helm,	Maxwell,	Schaaf,
Bowman,	Henzel,	Meholchick,	Schuster,
Buchanan,	Hocker,	Merry,	Seltzer,
Burns,	Holliday,	Miller, B. Z.,	Sherman,
Capano,	Holt,	Miller, H. G.,	Shupnik,
Capitolo,	Horst,	Mills,	Silverman,
Cianfrani,	Irvis,	Monroe,	Snider,
Cioffi,	Isaacs,	Muldowney,	Stank,
Clarke,	Jenkins,	Mullen,	Steckel,
Comer,	Jim,	Munley,	Stewart,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Davis,	Johnson, R.,	Murphy, P. J.,	Stone,
Dengler,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dennison,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Devlin,	Jump,	Musto,	Ujobai,
Donahue,	Kamyk,	Naugle,	Varallo,
Donaldson,	Keiser,	Needham,	Varnier,
Dougherty,	Kernaghan,	Nelson,	Verona,
Down,	Kessler,	O'Dell,	Wall,
Edwards,	Knecht,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kooker,	O'Donnell, J. P.	Wargo,
Eshback,	Korns,	Odorisio,	Weldner,
Eshleman,	Kovolenko,	Ogilvie,	Whittaker,
Ewing,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Parlante,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Pashley,	Willard,
Filo,	Lee, K. B.,	Perry, H. H.,	Willardt,
Fineman,	Leonard,	Perry, P. E.,	Wilt,
Floyd,	Light,	Petrosky,	Worley,
Flynn,	Limper,	Polaski,	Wynd,
Foerster,	Lippincott,	Polen,	Yatron,
Fox,	Lopresti,	Prendergast,	Yetter,
Frank,	Luigard,	Price,	Zimmerman,
Frascella,	Lutty,	Pursley,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 2070, Printer's No. 1062;

House Bill No. 2090, Printer's No. 1118 and

House Bill No. 2094, Printer's No. 1291

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2210, entitled:

An Act amending the "Minor Judiciary Fee Bill" approved January 7 1952 (P. L. 1841) reducing costs or fees payable by counties of the second class in cases before salaried magistrates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Fulmer,	McCandless,	Reibman,
Anderson,	Galley,	McCann,	Reidenbach,
Arlene,	Gallagher,	McDonald,	Renwick,
Ashton,	Garlock,	McInroy,	Rigby,
Auker,	George,	McKeever,	Riley,
Balthaser,	Goldstein,	McLaughlin,	Rovansek,
Barton,	Goodrich,	Machmer,	Royer,
Blair,	Gramlich,	Magee,	Rudisill,
Boles,	Guthrie,	Mahan,	Sakulsky,
Bonner,	Hamilton,	Markley,	Scarcelli,
Bower,	Helm,	Maxwell,	Schaaf,
Bowman,	Henzel,	Meholchick,	Schuster,
Buchanan,	Hocker,	Merry,	Seltzer,
Burns,	Holliday,	Miller, B. Z.,	Sherman,
Capano,	Holt,	Miller, H. G.,	Shupnik,
Capitolo,	Horst,	Mills,	Silverman,
Cianfrani,	Irvis,	Monroe,	Snider,
Cioffi,	Isaacs,	Muldowney,	Stank,
Clarke,	Jenkins,	Mullen,	Steckel,
Comer,	Jim,	Munley,	Stewart,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stimmel,
Davis,	Johnson, R.,	Murphy, P. J.,	Stone,
Dengler,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dennison,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Devlin,	Jump,	Musto,	Ujobai,
Donahue,	Kamyk,	Naugle,	Varallo,
Donaldson,	Keiser,	Needham,	Varnier,
Dougherty,	Kernaghan,	Nelson,	Verona,
Down,	Kessler,	O'Dell,	Wall,
Edwards,	Knecht,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kooker,	O'Donnell, J. P.,	Wargo,
Eshback,	Korns,	Odorisio,	Weldner,
Eshleman,	Kovolenko,	Ogilvie,	Whittaker,
Ewing,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Parlante,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Pashley,	Willard,
Filo,	Lee, K. B.,	Perry, H. H.,	Willardt,
Fineman,	Leonard,	Perry, P. E.,	Wilt,
Floyd,	Light,	Petrosky,	Worley,
Flynn,	Limper,	Polaski,	Wynd,
Foerster,	Lippincott,	Polen,	Yatron,
Fox,	Lopresti,	Prendergast,	Yetter,
Frank,	Luigard,	Price,	Zimmerman,
Frascella,	Lutty,	Pursley,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2211, entitled:

An Act amending the "Second Class County Code" approved July 28 1953 (P. L. 723) requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate authorizing registration of previous conveyances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Fulmer,	McCandless,	Reibman,
Anderson,	Galley,	McCann,	Reidenbach,
Arlene,	Gallagher,	McDonald,	Renwick,
Ashton,	Garlock,	McInroy,	Rigby,
Auker,	George,	McKeever,	Riley,
Balthaser,	Goldstein,	McLaughlin,	Rovansek,
Barton,	Goodrich,	Machmer,	Royer,
Blair,	Gramlich,	Magee,	Rudisill,
Boies,	Guthrie,	Mahan,	Sakulsky,
Bonner,	Hamilton,	Markley,	Scarcelli,
Bower,	Helm,	Maxwell,	Schaaf,
Bowman,	Henzel,	Meholchick,	Schuster,
Buchanan,	Hocker,	Merry,	Seltzer,
Burns,	Holliday,	Miller, B. Z.,	Sherman,
Capano,	Holt,	Miller, H. G.,	Shupnik,
Capitolo,	Horst,	Mills,	Silverman,
Cianfrani,	Irvls,	Monroe,	Snider,
Cioffi,	Isaacs,	Muldowney,	Stank,
Clarke,	Jenkins,	Mullen,	Steckel,
Comer,	Jim,	Munley,	Stewart,
Crossin,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stimmel,
Davis,	Johnson, R.,	Murphy, P. J.,	Stone,
Dengler,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dennison,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Devlin,	Jump,	Musto,	Ujobal,
Donahue,	Kamyk,	Naugle,	Varallo,
Donaldson,	Kelser,	Needham,	Varner,
Dougherty,	Kernaghan,	Nelson,	Verona,
Down,	Kessler,	O'Dell,	Wall,
Edwards,	Knecht,	O'Donnell, J. A.,	Walsh,
Ellberg,	Kooker,	O'Donnell, J. P.,	Wargo,
Eshback,	Korns,	Odorisio,	Weidner,
Eshleman,	Kovolenko,	Ogilvie,	Whittaker,
Ewing,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Parlante,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Pashley,	Willard,
Filo,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Fineman,	Leonard,	Perry, P. E.,	Wilt,
Floyd,	Light,	Petrosky,	Worley,
Flynn,	Limper,	Polaski,	Wynd,
Foerster,	Polen,	Lippincott,	Yatron,
Fox,	Lopresti,	Prendergast,	Yetter,
Frank,	Luigard,	Price,	Zimmerman,
Frascella,	Lutty,	Pursley,	Andrews,

Speaker

NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 2216, Printer's No. 1233 and

Senate Bill No. 36, Printer's No. 1244

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 37, entitled:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing temporary investment of township funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boies,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvls,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Ellberg,	Korns,	Odorisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Prendergast,	Yatron,
Foerster,	Lopresti,		Yetter,



Fox, Frank, Frascella, Fulmer,	Luigard, Lutty, McCandless,	Price, Pursley, Reibman,	Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—32

Bell, Boris, Branca, Brenninger, Breth, Brown, Cooper, Curwood,	Dennis, Gelfand, Gibb, Heavey, Heffner, Kee, Kornick, McCormack,	Mihm, Moran, Murray, P. G., Schwartz, Snare, Stevens, Strausser, Stroup,	Sullivan, Taylor, Thompson, Trusio, Welsh, Wescott, Wheeler, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 40, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Blair, Boles, Bonner, Bower, Bowman, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Galley, Gallagher, Garlock, George, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard,	McCann, McDonald, McInroy, McGeorge, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price,	Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Tompkins, Ujobal, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weldner, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman,
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Frank, Frascella, Fulmer,	Lutty, McCandless,	Pursley, Reibman,	Andrews, Speaker
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## NAYS—0

## NOT VOTING—32

Bell, Boris, Branca, Brenninger, Breth, Brown, Cooper, Curwood,	Dennis, Gelfand, Gibb, Heavey, Heffner, Kee, Kornick, McCormack,	Mihm, Moran, Murray, P. G., Schwartz, Snare, Stevens, Strausser, Stroup,	Sullivan, Taylor, Thompson, Trusio, Welsh, Wescott, Wheeler, Wood,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 66, Printer's No. 66;

Senate Bill No. 68, Printer's No. 68 and

Senate Bill No. 74, Printer's No. 279

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 128, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing boroughs to acquire and maintain historical property and permitting borough planning commissions to make recommendations in relation thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Blair, Boles, Bonner, Bower, Bowman, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards,	Galley, Gallagher, Garlock, George, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kelser, Kernaghan, Kessler, Knecht, Kooker,	McCann, McDonald, McInroy, McGeorge, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P.,	Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Tompkins, Ujobal, Varallo, Varnier, Verona, Wall, Walsh, Wargo,
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Ellberg,	Korns,	Odorislo,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neill,	Williams, A.D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Lulgard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILLS PASSED OVER

There being no objection,

Senate Bill No. 143, Printer's No. 1248 and

Senate Bill No. 148, Printer's No. 955,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 171, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing that the zoning board of adjustment must give their decision within forty-five days.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelll,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvls,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,

Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Ellberg,	Korns,	Odorislo,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neill,	Williams, A.D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Lulgard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 172, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," providing that the zoning board of adjustment must give their decision within forty-five days.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelll,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvls,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,



Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Ellberg,	Korns,	Odorisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neill,	Williams, A.D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, P. E.,	Willaredt,
Filo,	Leonard,	Perry, H. H.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Truslo,
Breth,	Hefner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 173, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments \* \* \*, increasing the investment powers of State administrative departments boards commissions or officers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—174

Agnew,	Galley,	McCann,	Renwick,
Anderson,	Gallagher,	McDonald,	Rigby,
Arlene,	Garlock,	McInroy,	Riley,
Ashton,	George,	McKeever,	Rovansek,
Auker,	Goldstein,	McLaughlin,	Royer,
Balthaser,	Goodrich,	Machmer,	Rudisill,
Barton,	Gramlich,	Magee,	Sakulsky,
Blair,	Guthrie,	Mahan,	Scarcell,
Boles,	Hamilton,	Markley,	Schaauf,
Bonner,	Helm,	Maxwell,	Schuster,
Bower,	Henzel,	Meholchick,	Seltzer,
Buchanan,	Hocker,	Merry,	Sherman,
Burns,	Holliday,	Miller, B. Z.,	Shupnik,
Capano,	Holt,	Miller, H. G.,	Silverman,
Capitolo,	Horst,	Mills,	Snider,
Cianfrani,	Irvis,	Monroe,	Stank,
Cioffi,	Isaacs,	Muldowney,	Steckel,
Clarke,	Jenkins,	Mullen,	Stewart,
Comer,	Jim,	Munley,	Stimmel,
Crossin,	Johnson, A. W.,	Murphy, P. J.,	Stone,

Davis,	Johnson, R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Dennison,	Jones, T. H. W.,	Musto,	Ujobai,
Devlin,	Jump,	Naugle,	Varallo,
Donahue,	Kamyk,	Needham,	Varnier,
Donaldson,	Kelser,	Nelson,	Verona,
Dougherty,	Kernaghan,	O'Dell,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Walsh,
Edwards,	Knecht,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kooker,	Odorisio,	Weidner,
Eshback,	Korns,	Ogilvie,	Whittaker,
Eshleman,	Kovolenko,	O'Neill,	Williams, A.D., Jr.,
Ewing,	Kubitsky,	Parlante,	Williams, E. S.,
Farabaugh,	Lamb,	Pashley,	Willard,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Willaredt,
Filo,	Lee, K. B.,	Perry, P. E.,	Wilt,
Fineman,	Leonard,	Petrosky,	Worley,
Floyd,	Light,	Polaski,	Wynd,
Flynn,	Limper,	Polen,	Yatron,
Foerster,	Lippincott,	Prendergast,	Yetter,
Fox,	Lopresti,	Price,	Zimmerman,
Frank,	Luigard,	Pursley,	Andrews,
Frascella,	Lutty,	Reibman,	Speaker
Fulmer,	McCandless,	Reidenbach,	

## NAYS—2

## NOT VOTING—32

Bowman,	Murphy, A. J., Jr.,		
Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Truslo,
Breth,	Hefner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 325, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcell,
Bonner,	Helm,	Maxwell,	Schaauf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,

Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varner,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Elberg,	Korns,	Odrisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Forster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Truslo,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 371, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," increasing the amount of salary compensation or emolument which may be paid without prior vote of the board of directors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—173

Agnew,	Fulmer,	McCandless,	Reibman,
Anderson,	Galley,	McCann,	Reidenbach,
Arlene,	Gallagher,	McDonald,	Renwick,
Ashton,	Garlock,	McInroy,	Rigby,
Auker,	George,	McKeever,	Riley,
Balthaser,	Goldstein,	McLaughlin,	Rovansek,
Barton,	Goodrich,	Machmer,	Royer,
Blair,	Gramlich,	Magee,	Rudisill,
Boles,	Guthrie,	Mahan,	Sakulsky,
Bonner,	Hamilton,	Markley,	Scarcelli,
Bower,	Helm,	Maxwell,	Schaaf,
Bowman,	Henzel,	Meholchick,	Schuster,
Buchanan,	Hocker,	Merry,	Seltzer,
Burns,	Holliday,	Miller, B. Z.,	Sherman,
Capano,	Holt,	Miller, H. G.,	Shupnik,
Capitolo,	Horst,	Mills,	Silverman,
Cianfrani,	Irvis,	Monroe,	Snider,
Cioffi,	Isaacs,	Muldowney,	Stank,
Clarke,	Jenkins,	Mullen,	Steckel,

Comer,	Jim,	Munley,	Stewart,
Crossin,	Johnson, A. W.,	Murphy, P. J.,	Stimmel,
Davis,	Johnson, R.,	Murray, H. P.,	Stone,
Dengler,	Jones, F. R.,	Murray, J. J.,	Stoner,
Dennison,	Jones, T. H. W.,	Musto,	Tompkins,
Devlin,	Jump,	Naugle,	Ujobai,
Donahue,	Kamyk,	Needham,	Varallo,
Donaldson,	Kelser,	Nelson,	Varner,
Dougherty,	Kernaghan,	O'Dell,	Verona,
Down,	Kessler,	O'Donnell, J. A.,	Walsh,
Edwards,	Knecht,	O'Donnell, J. P.,	Wall,
Elberg,	Kooker,	Odrisio,	Wargo,
Eshback,	Korns,	Ogilvie,	Weidner,
Eshleman,	Kovolenko,	O'Neil,	Whittaker,
Ewing,	Kubitsky,	Parlante,	Williams, E. S.,
Farabaugh,	Lamb,	Pashley,	Willard,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Willaredt,
Filo,	Lee, K. B.,	Perry, P. E.,	Wilt,
Fineman,	Leonard,	Petrosky,	Wynd,
Floyd,	Light,	Polaski,	Yatron,
Flynn,	Limper,	Polen,	Yetter,
Forster,	Lippincott,	Prendergast,	Zimmerman,
Fox,	Lopresti,	Price,	Andrews,
Frank,	Luigard,	Pursley,	Speaker
Frascella,	Lutty,		

## NAYS—3

Murphy, A. J., Jr. Williams, A. D., Jr., Worley,

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Truslo,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 372, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing for deferment of payment of a portion of the salary of officers or employees for more than twelve months.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—174

Agnew,	Fulmer,	McCandless,	Reidenbach,
Anderson,	Galley,	McCann,	Renwick,
Arlene,	Gallagher,	McDonald,	Rigby,
Ashton,	Garlock,	McInroy,	Riley,
Auker,	George,	McKeever,	Rovansek,
Balthaser,	Goldstein,	McLaughlin,	Royer,
Barton,	Goodrich,	Machmer,	Rudisill,
Blair,	Gramlich,	Magee,	Sakulsky,
Boles,	Guthrie,	Mahan,	Scarcelli,
Bonner,	Hamilton,	Markley,	Schaaf,
Bower,	Helm,	Maxwell,	Schuster,
Bowman,	Henzel,	Meholchick,	Seltzer,
Buchanan,	Hocker,	Merry,	Sherman,
Burns,	Holliday,	Miller, B. Z.,	Shupnik,
Capano,	Holt,	Miller, H. G.,	Silverman,
Capitolo,	Horst,	Mills,	Snider,
Cianfrani,	Irvis,	Monroe,	Stank,
Cioffi,	Isaacs,	Muldowney,	Steckel,
Clarke,	Jenkins,	Mullen,	Stewart,



Comer,	Jim,	Munley,	Stimmel,
Crossin,	Johnson, A. W.,	Murphy, P. J.,	Stone,
Davis,	Johnson, R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Dennison,	Jones, T. H. W.,	Musto,	Ujobal,
Devlin,	Jump,	Naugle,	Varallo,
Donahue,	Kamyk,	Needham,	Varnar,
Donaldson,	Kelser,	Nelson,	Verona,
Dougherty,	Kernaghan,	O'Dell,	Wall,
Down,	Kessler,	O'Donnell, J. A.,	Walsh,
Edwards,	Knecht,	O'Donnell, J. P.,	Wargo,
Ellberg,	Kooker,	Odrisio,	Weidner,
Eshback,	Korns,	Ogilvie,	Whittaker,
Eshleman,	Kovolenko,	O'Neil,	Williams, A.D. Jr.,
Ewing,	Kubitsky,	Parlante,	Williams, E. S.,
Farabaugh,	Lamb,	Pashley,	Willard,
Fetterolf,	Lee, A. M.,	Perry, H. H.,	Willaredt,
Filo,	Lee, K. B.,	Perry, P. E.,	Wilt,
Fineman,	Leonard,	Petrosky,	Wynd,
Floyd,	Light,	Polaski,	Yatron,
Flynn,	Limper,	Polen,	Yetter,
Foerster,	Lippincott,	Prendergast,	Zimmerman,
Fox,	Lopresti,	Price,	Andrews,
Frank,	Luigard,	Pursley,	Speaker
Frascella,	Lutty,	Reibman,	

## NAYS—2

Murphy, A.J., Jr., Worley,

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 434, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982) entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record \* \* \*" granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Ageeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelll,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,

Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irlis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A.J., Jr.,	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. E.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnar,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Ellberg,	Korns,	Odrisio,	Weidner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A.D. Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 485, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain changes on counties" defining "county employee" providing a service allowance for certain per diem employees further providing for a superannuation retirement allowance increasing the period of time during which a contributor may be reinstated and limiting the exception or execution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Ageeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelll,
Bonner,	Helm,	Maxwell,	Schaaf,

Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cloffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Ellberg,	Korns,	Odorisio,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Hefner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 486, entitled:

An Act amending the act of July 8, 1941 (P. L. 298) entitled "Fourth Class County Retirement Law" defining "county employe" setting the time for designating a beneficiary increasing the period of time during which a contributor may be reinstated increasing the total disability retirement allowance and limiting the exemption on execution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Ageeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,

Boles,	Hamilton,	Markley,	Scarcell,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irvis,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cloffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobal,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Kelser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.,	Wargo,
Ellberg,	Korns,	Odorisio,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willaredt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Hefner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 487, entitled:

An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" defining "County Employe" "Original Member" and "New Member" providing for compulsory membership and the method of making monthly payments increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Ageeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Gailey,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,



Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irviss,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odoriso,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willardt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 637, Printer's No. 689;

Senate Bill No. 683, Printer's No. 740;

Senate Bill No. 772, Printer's No. 969;

Senate Bill No. 811, Printer's No. 937 and

Senate Bill No. 833, Printer's No. 1073

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 968, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" authorizing the sale of newspapers on Sundays.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, Senate Bill No. 968, Printer's No. 1108, is a bill which, following the passage of Senate Bill No. 405, even though there is the assurance that newspapers can be sold on Sunday, will specifically state in law that they can be sold on Sunday. Since we want to see that the newspapers have that right to sell, we ask for everybody's support.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Reidenbach,
Anderson,	Gallagher,	McDonald,	Renwick,
Arlene,	Garlock,	McInroy,	Rigby,
Ashton,	George,	McKeever,	Riley,
Auker,	Goldstein,	McLaughlin,	Rovansek,
Balthaser,	Goodrich,	Machmer,	Royer,
Barton,	Gramlich,	Magee,	Rudisill,
Blair,	Guthrie,	Mahan,	Sakulsky,
Boles,	Hamilton,	Markley,	Scarcelli,
Bonner,	Helm,	Maxwell,	Schaaf,
Bower,	Henzel,	Meholchick,	Schuster,
Bowman,	Hocker,	Merry,	Seltzer,
Buchanan,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Horst,	Mills,	Silverman,
Capitolo,	Irviss,	Monroe,	Snider,
Cianfrani,	Isaacs,	Muldowney,	Stank,
Cioffi,	Jenkins,	Mullen,	Steckel,
Clarke,	Jim,	Munley,	Stewart,
Comer,	Johnson, A. W.,	Murphy, A. J., Jr.	Stimmel,
Crossin,	Johnson, R.,	Murphy, P. J.,	Stone,
Davis,	Jones, F. R.,	Murray, H. P.,	Stoner,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Tompkins,
Dennison,	Jump,	Musto,	Ujobai,
Devlin,	Kamyk,	Naugle,	Varallo,
Donahue,	Keiser,	Needham,	Varnier,
Donaldson,	Kernaghan,	Nelson,	Verona,
Dougherty,	Kessler,	O'Dell,	Wall,
Down,	Knecht,	O'Donnell, J. A.,	Walsh,
Edwards,	Kooker,	O'Donnell, J. P.	Wargo,
Eilberg,	Korns,	Odoriso,	Weldner,
Eshback,	Kovolenko,	Ogilvie,	Whittaker,
Eshleman,	Kubitsky,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Lamb,	Parlante,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Pashley,	Willard,
Fetterolf,	Lee, K. B.,	Perry, H. H.,	Willardt,
Filo,	Leonard,	Perry, P. E.,	Wilt,
Fineman,	Light,	Petrosky,	Worley,
Floyd,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Yatron,
Foerster,	Lopresti,	Prendergast,	Yetter,
Fox,	Luigard,	Price,	Zimmerman,
Frank,	Lutty,	Pursley,	Andrews,
Frascella,	McCandless,	Reibman,	Speaker
Fulmer,			

## NAYS—0

## NOT VOTING—32

Bell,	Dennis,	Mihm,	Sullivan,
Boris,	Gelfand,	Moran,	Taylor,
Branca,	Gibb,	Murray, P. G.,	Thompson,
Brenninger,	Heavey,	Schwartz,	Trusio,
Breth,	Heffner,	Snare,	Welsh,
Brown,	Kee,	Stevens,	Wescott,
Cooper,	Kornick,	Strausser,	Wheeler,
Curwood,	McCormack,	Stroup,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL NO. 1721, FROM GOVERNOR

Commonwealth of Pennsylvania.  
Governor's Office, Harrisburg, August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1721, Printer's No. 875, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## RECONSIDERATION OF VOTE

Mr. YETTER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. STANK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Monroe, Mr. YETTER, vote on the final passage of this bill?

Mr. YETTER. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Northumberland, Mr. Stank vote on the final passage of this bill?

Mr. STANK. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. YETTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. YETTER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section I (Section 502), page 2, line 10, by inserting after "or" "personal."

Amend Section I (Section 502), page 2, line 14, by inserting after "or" "personal."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## ANNOUNCEMENT

Mr. TOMPKINS. Mr. Speaker, for the Republicans who remain I would like to announce that we would like to have them in the caucus as promptly at 2 o'clock on Monday as they can make it. We have a big calendar to

go over and a number of things to take up, and if they are there promptly we can cover these things.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE BILLS NOS. 463, 464, 466, 468, 469, 472 and 1936

Commonwealth of Pennsylvania.  
Governor's Office, Harrisburg, August 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 463, Printer's No. 232, entitled "An Act amending the act of March 17, 1921 (P. L. 32) entitled 'An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county' requiring memorial halls to contain rooms for meetings of the Italian American WORLD War Veterans of the United States Incorporated and further regulating the composition of the board of control of the memorial hall."

DAVID L. LAWRENCE.

August 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 464, Printer's No. 233, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' authorizing appropriations to posts of the Italian American WORLD War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners."

DAVID L. LAWRENCE.

August 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 466, Printer's No. 546, entitled "An Act amending the act of July 28, 1953 (P. L. 723) entitled 'Second Class County Code' authorizing appropriations to posts of the Italian American WORLD War Veterans of the United States Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect, prepare and file data concerning burial places of military, naval and other combat personnel with the county commissioners."

DAVID L. LAWRENCE.

August 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 468, Printer's No. 547, entitled "An Act amending the act of July 28, 1953 (P. L. 723) entitled 'Second Class County Code' further regulating membership of the board of managers of the memorial monument or memorial hall in honor of the soldiers, sailors and marines of the county and providing rooms



for use of the Italian American WORLD War Veterans of the United States Incorporated."

DAVID L. LAWRENCE.

August 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 469, Printer's No. 235, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' providing rooms for use of the Italian American WORLD War Veterans of the United States Incorporated and for its membership on the board of control."

DAVID L. LAWRENCE.

August 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 472, Printer's No. 768, entitled "An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended 'An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day' authorizing appropriations to posts of the Italian American WORLD War Veterans of the United States Incorporated."

DAVID L. LAWRENCE.

August 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1936, Printer's No. 973, entitled "An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled 'An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes' designating the lake area on which motor boats may be operated AND PROVIDING PENALTIES."

DAVID L. LAWRENCE.

The SPEAKER pro tempore. The Chair wishes to thank the membership of the House for the order that was maintained today. We were able to proceed without a recess for lunch.

The Chair wishes at this time to turn the gavel back to the Speaker of the House.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Allegheny for the able manner in which he presided over this sometimes troublesome body. Generally service up here is rewarding.

## COMMITTEE ON MEMORIAL SERVICES

The SPEAKER. Pursuant to the provisions of a resolution adopted by the House of Representatives August 12, 1959, for a Select Committee to conduct Memorial Services in memory of our deceased Members, the Speaker appoints: Messrs. RUDISILL Chairman, FINEMAN, MUSTO, EWING, DAVIS and WOOD.

## RESOLUTIONS AND BILLS PASSED OVER

The SPEAKER. Without objection, all resolutions and bills not considered today, will be passed over.

The Chair hears none.

## BIRTHDAY GREETINGS

Mr. McCANN. Mr. Speaker, Members of this House, I want to apologize to the House. This morning when I looked over some of my mail very hurriedly before the opening of today's Session, I was informed by a little note from one of the girls that anytime after 10 o'clock this morning the young ladies would be most pleased if I would come to room 245 to get a piece of the birthday cake for our Chairman of the Appropriations Committee.

So, Mr. Speaker, since we did not have a resolution and I did not know it was his birthday until this morning, I would like to have the House wish Mr. Polen of Washington County a most happy birthday.

The SPEAKER. The years touch him so lightly that they leave no trace.

The gentleman from Delaware will lead this body in praise to the gentleman from Washington.

(Happy Birthday was sung by the Members, led by Mr. Dengler).

The SPEAKER. The Chair recognizes the youthful gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I thank the Chair for those remarks.

Actually my birthday is not until tomorrow, the 13th, but my office force thought perhaps I would not be here, so they did arrange for a cake for me.

I want to say that I have had a very happy time during my lifetime, and I think the happiest years I have had have been spent right here in the House.

I thank all of the Members for their greetings here today.

## ADJOURNMENT

Mr. FOX. Mr. Speaker, I move that this House do now adjourn until Monday, August 17, 1959 at 3:30 p. m. E.S.T.

The motion was agreed to, and (at 12:40 p. m. E.S.T.) the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, AUGUST 17, 1959.

No. 79.

## SENATE

MONDAY, August 17, 1959.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, FATHER REGIS O'BRIEN, Professor of Philosophy and Homiletics, St. Francis Seminary, Loretto, Cambria County, offered the following prayer:

In the Name of the Father and of the Son and of the Holy Ghost, Amen.

Almighty God, Creator and Sovereign Lord of the Universe, grant the Members of this Assembly, your devoted servants, keenness of mind to apperceive full well that all law is a rule of reason, adopted by those lawfully sharing Your authority for the Commonwealth.

Grant them grace to subjugate what is of benefit to themselves, as individuals, for that which is the good of the governed. Enlighten them to realize that anything bordering on oppressiveness through increasing the burden of the governed is categorically offensive to Your Majesty. Give them that especial gift of efficacious grace to put aside party fidelity where legislation runs counter to the basis or all legislation, the natural law which is the manifestation of Your Most Holy Will, as written in the heart of every man.

In brief, dearest Lord, grant both them and the governing the serenity to accept things they cannot change, the courage to change things they can, and the wisdom to know the difference.

In the Name of the Father, and of the Son and of the Holy Ghost, Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

## LEAVE OF ABSENCE

Mr. SEYLER. Mr. President, I request leave of absence for my colleague, Senator Miller, for the week.

The PRESIDENT. Is there objection? The Chair hears no objection, and the leave of absence is granted.

## INTERROGATION

Mr. FLEMING. Mr. President, I am sorry, I could not get to a microphone. I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDENT. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will, Mr. President.

Mr. FLEMING. Senator Seyler, you just asked for leave of absence for your colleague, Senator Miller. You did not give a cause. Would you be willing to give a cause for his absence?

Mr. SEYLER. Mr. President, I understand that Senator Miller is engaged in public business on behalf of his constituents which I believe will have him in Washington, D. C., for part of this week.

Mr. FLEMING. Mr. President, I desire to further interrogate the gentleman from York, Senator Seyler.

The PRESIDENT. Will the gentleman from York, Mr. Seyler, permit further interrogation?

I have the feeling that Senator Seyler is answering questions, as it is.

Mr. FLEMING. I think he is being interrogated by the Majority Leader in private. I would like to interrogate him in public.

Mr. SEYLER. Mr. President, I am sorry; I was engaged otherwise. What is the question?

The PRESIDENT. Your privacy may now be set aside. The gentleman will now stand another question, Senator Fleming.

Mr. FLEMING. Do I understand that the leave of absence is requested for the entire week?

Mr. SEYLER. That is correct.

Mr. FLEMING. Senator Miller, then, will not be here to vote either for or against the tax measure, if it is voted upon this week?

Mr. SEYLER. Mr. President, I have no idea when the tax measure will be presented. However, I have asked for leave of absence for the week, for Senator Miller.

Mr. FLEMING. May we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. FLEMING. Mr. President, could I request that Senator Seyler, for the time being, withdraw his request for a leave of absence for Senator Miller?

The PRESIDENT. Would Senator Seyler consider the withdrawal of his request for leave of absence for the present, for Senator Miller?

Mr. SEYLER. Mr. President, I see no reason for doing this. I have heard no reason offered for so doing.



The PRESIDENT. Would you state your reason, Senator Fleming?

Mr. FLEMING. Mr. President, I yield to the Majority Floor Leader, Senator Berger.

Mr. BERGER. Mr. President, I would suggest to the gentleman that we will not object to his entering this request later. However, as the request stands at the present time—

The PRESIDENT. Senator Berger, I hate to interrupt you, but I have a real problem on this score because I have already granted the leave of absence, due to the fact that no objection was made. Senator Fleming then got to his feet. I think, probably, he was snowed under by the crowd, and—

Mr. FLEMING. Mr. President, if I may interrupt, I was trying to get to a microphone. On the basis of that, I would ask the Chair to reconsider his decision on there having been no objection to the leave of absence.

Mr. BERGER. If the gentleman will not withdraw his request, Mr. President, I will ask that the question be submitted to the entire Senate for a vote.

The PRESIDENT. Senator Seyler, do you wish to stand on this?

Senator Fleming has stated, and I think it is a good point, that he was unable to reach a microphone in order to object. If he were to insist, at this moment, for a ruling from the Chair, I would rescind the granting of the motion. I would then put the question again.

Senator Berger has asked whether or not you will, at this time, withdraw your request for the granting of a leave of absence so that we may consider it at a later time in today's Session.

Mr. SEYLER. Mr. President, pursuant to the request of my colleague, Senator Miller, I have asked for a leave of absence. I understand it has been granted, without objection, and any future action on that I think is up to the Senators who would object to it. I do not intend to withdraw my request.

The PRESIDENT. All right, then I will rescind my granting of your original request.

Mr. DONOLOW. Mr. President, I do not think the Chair is in order. The Chair cannot rescind the request. It has already been granted.

The PRESIDENT. The Chair is rescinding his granting of the request, Senator Donolow. The Chair is within its rights because Senator Fleming said that he tried to get to a microphone to make an objection and he could not reach the microphone in time.

Mr. DONOLOW. May I ask the Chair under what authority he can now withdraw that granting of the request?

The PRESIDENT. Under the authority of the Chair. If you wish it, I will put it to a vote.

Mr. DONOLOW. Does the Chair have the prerogative to do that?

The PRESIDENT. I think it is a matter of courtesy to any Senator that his objection not be allowed to die simply because he did not reach a microphone.

Mr. DONOLOW. I would agree to that, Mr. President, but I think that it has already been granted. Just to now arbitrarily withdraw it, seems to me not to be in order.

The PRESIDENT. I am doing it on the basis of Senator Fleming's request that it be denied on the basis of his inability to file an objection. My granting of the leave of absence was based entirely on the fact that not a single

Senator objected to my granting the leave of absence. I did so grant it. When a Senator gets up and says, "I am sorry, sir, I could not reach a microphone in order to object," I feel it is a matter of courtesy, which I would accord any Member of this Senate, to give him his chance to object. I will be glad to put it to a vote of the body, if you wish it.

Mr. LANE. Mr. President, I was not paying particular attention when Senator Seyler took the floor and requested the leave of absence. However, I would like to know from the Chair if Senator Seyler stated the reason for the leave of absence.

The PRESIDENT. He did, only after Senator Fleming made a request to interrogate Senator Seyler. Senator Seyler, at that time, permitted himself to be interrogated by Senator Fleming. This occurred after the Chair's ruling.

Mr. LANE. Mr. President, we are putting the cart before the horse. What I would like to know is what were the reasons for Senator Miller's absence from the Senate, as stated by Senator Seyler.

The PRESIDENT. Of course, Senator Lane, that will come next.

Mr. LANE. My point is this, Mr. President—

The PRESIDENT. I granted the leave of absence under the apprehension that none of the Senators present objected to the granting of that leave of absence. Now, a Senator, the gentleman from Allegheny County, Senator Fleming, stands and he says, "I wished to object, but I could not reach a microphone before the Chair's ruling was made. Would the Senator permit himself to be interrogated?" Whereupon, Senator Seyler said, "Yes, I will permit myself to be interrogated." Actually, under the particular procedure, the Chair should now put the question as to whether or not the leave should be granted.

Mr. LANE. Mr. President, I am speaking in regard to the Chair's ruling at this particular time. The point I am trying to make is whether Senator Seyler said that he requested a leave of absence for Senator Miller due to illness or due to other business. Did he state a specific reason?

The PRESIDENT. He did not.

Mr. LANE. All right, Mr. President. Then, in case Senator Miller is ill, would you then reverse your decision?

The PRESIDENT. Yes.

Mr. LANE. You would. Then, would you haul him in here on a cot, if necessary?

The PRESIDENT. I do not know whether that last part is true.

Mr. LANE. Well, if the gentleman is ill and could not—

The PRESIDENT. If the gentleman were ill, there would be a question, the same as would exist concerning any other reason for his being absent. There is an objection at this point, Senator Lane, and that must come from the Body.

Mr. LANE. However, Mr. President, you have already handed down a decision. I do not like to quarrel with my good friend, the Lieutenant-Governor. I have a lot of respect for you, but I do say that the Chair has handed down its decision and I believe that the decision actually should stand. There are extenuating circumstances. Senator Miller may be seriously ill or he may be involved with very important business, for all we know. If the Chair rescinds his decision, then I guess you are going to



send out and bring him in here, regardless of the conditions.

The PRESIDENT. No, Senator Lane. We have this kind of a situation on our hands. Unfortunately, it is not the sort of thing which has been said to lawyers many times. When a judge rules in your favor, you should immediately get out of the courtroom. He cannot change his mind. In this particular case, we had a situation where, if the reasons for Senator Miller's absence are brought forth, the Body, itself, can then pass upon whether or not the leave of absence should be granted.

Mr. LANE. Mr. President, you are then inferring that Senator Seyler more or less gilded the lily when he agreed to the interrogation. Is that correct?

The PRESIDENT. I think Senator Seyler, when he permitted himself to be interrogated, immediately opened my decision up again.

Mr. LANE. Mr. President, I have served in this Senate quite a long time and, actually, I have never had this experience before, where the Chair reversed itself just because there was an objection after the leave of absence was granted.

Mr. SEYLER. Mr. President, when you asked for any objections and there were none, this, it seems to me, was, in effect, closing the question. For example, if we have a roll call and a gentleman is not recorded and comes into the Chamber and says that he was not here, I do not believe it would be the Chair's decision that at that moment he could be recorded, after the vote had been recorded. I would suggest to the Chair that the Chair is somewhat in that position now.

We all know in this Senate that asking for a leave of absence and its granting, by tradition, is an accepted thing. It is certainly highly unusual that any Senator, asking for a leave of absence, would find any objection to the request for a leave of absence.

I have been requested by my colleague, who sits next to me—and I suppose that is the reason he did me the honor to make the request—to ask for his leave of absence. I think it would certainly be incumbent upon anyone, who would ask the Chair to reverse its decision as to the vote on this matter, to offer substantial and serious reasons why this traditional position of the Senate should be reversed. Mr. President, I have not heard any such arguments offered. I am unaware at this moment as to why the gentleman wished to decline to give Senator Miller the leave of absence which was requested.

I think we should consider this from our colleague's point of view Senator Miller is a Senator and a Member of this Body. He is certainly entitled to all the courtesies which go with being a Senator. In taking such an action and in reversing unanimous consent, in face of a Senator's request, I think it not a right thing. I think we should seriously consider the precedent that this sets with regard to the request of the Senator.

The PRESIDENT. The gentleman is exactly right, except for one premise which does not exist. You said that the Chair should not reverse its decision when there has been unanimous consent granted by all the Members of the Body. However, we have a gentleman who has stated very clearly to us here that the action occurred so fast that while he struggled to get to a microphone, he was unable to reach that microphone. Therefore, he said, in effect, that there was no unanimous consent. On that basis,

we are just saying here, as our ruling, that should we rescind the granting of the leave of absence, it would then be put to a vote of the Body and it would then be determined whether or not unanimous consent was granted.

I think it is just that simple. We are arguing about a ruling which can be decided immediately by simply referring it to a vote of the Senate.

Mr. SEYLER. Mr. President, my objection is to the rescinding of the decision of the Chair. I will have no objection to a motion made by a Member on the otherside. In fact, that is probably the proper action, if they care to take it. At that time, I, of course, will want to inquire of them what reasons they have for making such a motion. However, I do have considerable objection, after the result of the vote has been announced, to then allow a Member, who, by his own statement, was perhaps negligent in not being in position to register his vote, to have another chance. I think the gentleman always has the possibility of making a motion on this subject. If he does, Mr. President, I have no objection. However, I am thinking of my colleague, Senator Miller, and I want to do all I can to protect the rights and privileges of my colleague.

The PRESIDENT. I am thinking very seriously of Senator Miller's rights, too. I want to make such that they are protected. However, I also want to see that the rights of every other Senator in this Senate are carefully protected, as well.

Mr. SEYLER. Mr. President, do these rights include the right to change a vote after the result has been announced? If so, it seems to me that this is a new—

The PRESIDENT. Senator Seyler, you are not accepting the facts as I understand them to be. Senator Fleming said he tried to reach a microphone to object and could not do so. You must admit that the actual granting of the leave of absence, my announcement of it and the question which came from Senator Fleming were almost simultaneous. There was no degree of passage of time.

Mr. WEINER. Mr. President, I do not want to interrupt this discussion, but I am wondering whether we can be at ease for just one moment, please.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

#### DECISION OF THE CHAIR TABLED

Mr. WEINER. Mr. President, I understand a leave of absence has been requested on behalf of Senator Miller by Senator Seyler, and that an objection was made to it by the gentleman from Allegheny, Senator Fleming. I would like to move now that this matter be tabled for the present moment, until time for adjournment.

My understanding is, from the information that I have, that Senator Miller will be present at the Session today or possibly early tomorrow. Therefore, the leave of absence for the entire week may be completely out of order.

The PRESIDENT. Is there a second to that motion?

Mr. BARR. I second the motion, Mr. President.

The motion was agreed to.

Mr. LANE. Mr. President, is it my understanding then that the discussion is being tabled? Is that correct?

The PRESIDENT. The whole matter is being tabled, including the decision of the Chair.

Mr. LANE. Mr. President, when it is brought up again, I would like to be recognized.

The PRESIDENT. I shall be happy to do that, Senator Lane.



Mr. SEYLER. Mr. President, I did not understand the motion of Senator Weiner to call for any changing of the decision given. My understanding was, from Senator Weiner's motion, that he was simply tabling the discussion on the motion.

The PRESIDENT. That is correct, including the Chair's decision. Nothing has been changed, sir.

Mr. SEYLER. The leave of absence is now granted. Is that correct?

The PRESIDENT. I have not rescinded it, but unless there is something which changes my mind before the end of today's Session, I will, at that time, rescind the grant which I made at your request.

Mr. SEYLER. As it now stands, the request is granted. Is that correct?

The PRESIDENT. As it now stands, the grant was made.

Mr. SEYLER. Thank you, Mr. President.

Mr. FLEMING. Mr. President, I want it clearly understood that—

The PRESIDENT. I could not have made it more clear.

Mr. FLEMING. You could not have made it more clear to me, Mr. President, but I want it still understood, so there is no question, that before we adjourn today this will be lifted from the table and that you then will recognize my right to object to the granting of that leave of absence.

The PRESIDENT. It will be within your prerogative, Senator Fleming, to make such a motion to lift it from the table.

Mr. FLEMING. Thank you, Mr. President.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 444, 665, 771, 784, 345, 513 and 579.

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 444, Printer's No. 478, entitled "An Act amending the act of June 25, 1913 (P. L. 551) entitled 'An act to authorize incorporated or unincorporated churches cemeteries or burial associations owning burial-grounds located wholly or in part in any city, township or borough of this Commonwealth to purchase other grounds and to sell and convey in fee simple such portions of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them under the terms hereof or otherwise and providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons vested with the management of said burial-ground to make orders and decrees for the removal of all bodies interred in such burial-grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein the sale of the ground and disposition of the proceeds derived from such sale' further regulating the change of location of burial-grounds or portions thereof and removal of bodies by court order."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 665, Printer's No. 1144, entitled "An Act amending the act of April 9, 1929 (P. L. 343) entitled 'The Fiscal Code' further regulating the security required for deposits of State moneys."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 771, Printer's No. 880, entitled "An Act amending the act of May 11, 1889 (P. L. 188) entitled 'A further supplement to an act entitled "An act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes" approved March twenty-ninth one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots' further regulating the rates of pilotage."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 784, Printer's No. 893, entitled "An Act amending the act of December 27, 1951 (P. L. 1793) entitled 'An act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor' increasing the registration fees in certain cases providing for a method of inspection of installations and requiring the maintenance of certain records."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 345, Printer's No. 1074, entitled "An Act amending the act of July 25, 1913 (P. L. 1311) entitled 'An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act' MAKING SHERIFFS RESPONSIBLE FOR THE TRANSPORTATION OF WOMEN PRISONERS TO THE INDUSTRIAL Home."

DAVID L. LAWRENCE.

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 513, Printer's No. 1107, entitled "An Act amending the act of May 5, 1933



(P. L. 364) entitled 'Business Corporation Law' increasing the amount that cemetery and burial corporations must set apart for perpetual care and preservation of the grounds and buildings."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 579, Printer's No. 1142, entitled "An Act amending the act of May 28, 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions' further regulating pension rights."

DAVID L. LAWRENCE.

## COMMUNICATION FROM THE GOVERNOR

### REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF MRS. ELIZABETH G. ZEIDMAN FOR REAPPOINTMENT AS A MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 9, 1959, for the reappointment of Mrs. Elizabeth G. Zeidman, 1319 Panther Road, Rydal, Montgomery County, as a member of the Pennsylvania Securities Commission, until the third Tuesday of January 1963, and until her successor shall have been appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

## NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### MEMBER OF THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles R. Wilson, Pittsburgh, Allegheny County, for appointment as a member of the Public School Employees' Retirement Board, from November 19, 1957, until his successor is appointed.

DAVID L. LAWRENCE.

### MEMBER OF THE STATE FOREST COMMISSION

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Krumenacker, R. D., Carrolltown, Cambria County,

for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE ADVISORY HEALTH BOARD

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Pascal F. Lucchesi, M. D., 601 East Gorgas Lane, Chestnut Hill, Philadelphia, Philadelphia County, for reappointment as a member of the Advisory Health Board, until the third Tuesday of January 1963, or until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 63, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) prohibiting drag races and providing penalties.

Which was committed to the Committee on Highways.

House Bill No. 559, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing provisions and penalties with respect to unlawful acts concerning traffic and safety signs.

Which was committed to the Committee on Highways.

House Bill No. 648, entitled:

An act amending "The Divorce Law" approved May 2, 1929 (P. L. 1237) enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

Which was committed to the Committee on Judiciary General.

House Bill No. 649, entitled:

An Act amending "The Pennsylvania Civil Procedural Support Law" approved July 13, 1953 (P. L. 431) providing for the establishment of a Domestic Relations Division in each county and further defining the powers and duties of the Domestic Relations Division and probation officers.

Which was committed to the Committee on Judiciary General.

House Bill No. 748, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) making it a crime to sell or offer for sale certain home appliances without proper identification.

Which was committed to the Committee on Judiciary General.

House Bill No. 900, entitled:

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017) including neglected



children within the powers and duties of the local authorities.

Which was committed to the Committee on Local Government.

House Bill No. 1057, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of boilers and unfired pressure vessels; . . ." clarifying certain provisions; deleting certain definitions and expanding certain exemptions from the act.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1121, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof; . . . operation and conduct thereof, by the Department of Welfare; . . ." redefining "boarding houses for infants."

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1122, entitled:

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; . . . and prescribing penalties." redefining boarding houses for children.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1148, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566) providing for compensation for disability caused by exposure to radiation hazards.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1229, entitled:

An Act amending the act of August 10, 1951 (P. L. 1199), entitled "An act concerning devises, bequests or gifts in trust for the care and maintenance of cemeteries, burial grounds or cemetery lots, trustees; and substituted trustees thereof, sureties of said trustees; the investment of such trust funds, accounts of said trustees; approving actions and proceedings prior to this act; and repealing conflicting laws," extending the provisions thereof to include political subdivisions.

Which was committed to the Committee on Judiciary General.

House Bill No. 1336, entitled:

An Act providing for the issuing, administration, enforcement and termination of marketing agreements and orders on agriculture commodities; \*\*\* and making an appropriation.

Which was committed to the Committee on Agriculture.

House Bill No. 1405, entitled:

An Act amending the act of April 6, 1951 (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any Department administrative board, commission or officer of either department to proceed by injunction or other process in the court of

common pleas in any county where an alleged unauthorized activity is committed \* \* \*" authorizing legal action to restrain or prohibit the establishing, conducting or operating of institutions subject to supervision by such departments in violation of rules and regulations.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1528, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. ) No. 32, directing the issuance of special registration plates for suburban motor vehicles and prescribing the fee thereof.

Which was committed to the Committee on Highways.

House Bill No. 1572, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowance and reinstatement and requirement for credit for previous service.

Which was committed to the Committee on Local Government.

House Bill No. 1597, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956, (P. L. 1228), requiring persons who distribute catalogs and other advertising material and by reason thereof accept orders for merchandise from residents of this Commonwealth to be licensed and file returns.

Which was committed to the Committee on Finance.

House Bill No. 1633, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace, magistrates and aldermen; and repealing certain prior acts.

Which was committed to the Committee on Judiciary General.

House Bill No. 1648, entitled:

An Act defining and providing for the licensing of child day care homes and centers; conferring powers and imposing duties for the Department of Public Welfare.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

Which was committed to the Committee on Local Government.

House Bill No. 1732, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) defining "school bus"; granting a credit for certain suspensions toward revocation penalties; . . .

Which was committed to the Committee on Highways.

House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further regulating the

exercise of powers by the Department of Banking and boards thereof;

Which was committed to the Committee on Banking.

House Bill No. 1873, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to furnish employes with instructions on their rights in the event of an accident.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1877, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1884, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566) prescribing the form and notice of the contents thereof of a final receipt and providing for the inspection and examination of property under the control or custody of the employer.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1897, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), further regulating the disbursements of funds by brokers.

Which was committed to the Committee on Education.

House Bill No. 1937, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), excepting certain operators and owners from certain requirements as to security and suspension.

Which was committed to the Committee on Highways.

House Bill No. 1945, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), providing an allowance for seventh and eighth class county surveyors.

Which was committed to the Committee on Local Government.

House Bill No. 1955, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund; \* \* \* providing for loans of money between the Motor License Fund and the General Fund under certain conditions.

Which was committed to the Committee on Appropriations.

House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Ve-

hicle Code," authorizing the operation of a vehicle having two others attached thereto in certain cases.

Which was committed to the Committee on Highways.

House Bill No. 2031, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the amount of contracts in which borough officials may have no interest.

Which was committed to the Committee on Local Government.

House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

Which was committed to the Committee on Local Government.

House Bill No. 2210, entitled:

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), reducing costs or fees imposed upon counties of the second class in cases before salaried magistrates.

Which was committed to the Committee on Local Government.

House Bill No. 2211, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), requiring all acquisitions of real estate hereafter made to be registered in the office of the county commissioners and specifying the effect thereof on sales of such real estate; authorizing registration of previous conveyances.

Which was committed to the Committee on Local Government.

#### SENATE BILL No. 37 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 37, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," authorizing temporary investment of township funds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

#### SENATE BILL No. 171 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 171, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing that the zoning board of adjustment must give their decision within thirty days.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.



## SENATE BILL No. 172 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 172, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," providing that the zoning board of adjustment must give their decision within forty-five days.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## SENATE BILL NO. 325 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 325, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## HOUSE CONCURS IN SENATE BILL No. 40

He also returned to the Senate, Senate Bill No. 40, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing appropriations for handling, storage and distribution of surplus foods.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 128

He also returned to the Senate, Senate Bill No. 128, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing boroughs to acquire and maintain historical property, and permitting borough planning commissions to make recommendations in relation thereto.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 173

He also returned to the Senate, Senate Bill No. 173, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, . . .," increasing the investment powers of State administration departments, boards, commissions or officers.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 371

He also returned to the Senate, Senate Bill No. 371, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," increasing the amount of salary compensation, or emolument which may be paid without prior vote of the board of directors.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 372

He also returned to the Senate, Senate Bill No. 372, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," providing for deferment of payment of a portion of the salary of officers or employees for more than twelve months.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 434

He also returned to the Senate, Senate Bill No. 434, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth, to prescribe rules and regulations for the conduct of any general business either civil or criminal, by judges of any court of record; . . .," granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 485

He also returned to the Senate, Senate Bill No. 485, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," defining "county employee;" providing a service allowance for certain per diem employees; further providing for a super-annuation retirement allowance; increasing the period of time during which a contributor may be reinstated and limiting the exemption or execution.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 486

He also returned to the Senate, Senate Bill No. 486, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law," defining "county employee;" setting the time for designation a beneficiary; increasing the period of time during which a contributor may be reinstated; increasing the total disability retirement allowance; and limiting the exemption on execution.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 487

He also returned to the Senate, Senate Bill No. 487, entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; . . ." defining "Original Member" and "New Member"; providing for compulsory membership and the method of making monthly payments; increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 968 entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," authorizing the sale of newspapers on Sunday.

with the information that the House has passed the same without amendments.

## BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 40, Printer's No. 40;  
Senate Bill No. 128, Printer's No. 137;  
Senate Bill No. 173, Printer's No. 187;  
Senate Bill No. 371, Printer's No. 854;  
Senate Bill No. 372, Printer's No. 399;  
Senate Bill No. 434, Printer's No. 613;  
Senate Bill No. 485, Printer's No. 911;  
Senate Bill No. 486, Printer's No. 912;  
Senate Bill No. 487, Printer's No. 913;  
Senate Bill No. 968, Printer's No. 1108; and  
House Bill No. 1115, Printer's No. 1250.

## REPORTS FROM COMMITTEE

Mr. CONFAIR, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 705, entitled:

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510), providing for the examination of recalcitrant persons suspected of being infected with venereal disease, tuberculosis, or any other communicable disease.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 706, entitled:

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510) providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease, tuberculosis or any other communicable disease.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1077, entitled:

An Act empowering the Department of Health to regu-

late the burial of radioactive material and to issue permits therefor; and prescribing penalties.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1129, entitled:

An Act amending the act of June 12, 1931 (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; . . .," providing for a provisional license.

He also, from the Committee on Public Health and welfare, reported as committed, House Bill No. 1448, entitled:

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510) allowing court appointed physicians and physicians of penal institutions to make examinations for venereal disease.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. PECHAN, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

## JUSTICE OF THE PEACE

August 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry T. Watts, Main Street, Millville, Columbia County, for appointment as Justice of the Peace in and for the Borough of Millville, Columbia County, until the first Monday of January 1960, vice Howard T. Mordan, resigned.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ruth Miller Steese, Mifflinburg, Union County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

## MEMBER OF THE BEAVER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Beaver County Board of Assistance:

Edward L. J. McCabe (Dem.), Ambridge, Beaver County, from July 25, 1958, until December 31, 1960, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to



nominate for the advice and consent of the Senate George J. Klaswick, 244 South Church Street, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, until the first Monday of January 1960, vice M. J. Farabaugh, deceased.

DAVID L. LAWRENCE.

#### MEMBERS OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Board for the Examination of Public Accountants, for the term of four years, and until their successors are appointed and qualified:

John R. Holland, Esq., 4922 Ellsworth Avenue, Pittsburgh 13, Allegheny County.

Irving Yaverbaum, 315 Edward Street, Harrisburg, Dauphin County.

DAVID L. LAWRENCE.

#### BILLS INTRODUCED AND REFERRED

Messrs. BLASS and MULLIN read in place and presented to the Chair Senate Bill No. 1076, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

Which was committed to the Committee on Appropriations.

Mr. MALLERY, on behalf of Mr. STEVENSON, read in his place and presented to the Chair Senate Bill No. 1077, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," removing limitations as to the size of certain vehicles.

Which was committed to the Committee on Highways.

He also, on behalf of Mr. STEVENSON, read in his place and presented to the Chair Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the reassessment of property in certain cases, and imposing liability for county taxes upon the owners thereof.

Which was committed to the Committee on Local Government.

Messrs. PECHAN and VAN SANT read in place and presented to the Chair Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged; . . ." changing and clarifying certain preference provisions and adding definitions.

Which was committed to the Committee on Military Affairs.

Messrs. FLEMING and SARRAF read in place and presented to the Chair Senate Bill No. 1080, entitled:

An Act making appropriations to the Trustees of the

University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine; for the establishment of a professorship in the School of Medicine; and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Which was committed to the Committee on Appropriations.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy, adapt, use and maintain all or portions of such railway right of way and railway structures thereon as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with, or in total or partial substitution for, railway operation over the right of way so occupied and adapted for such motor carrier transportation; and conferring the power of eminent domain.

Which was committed to the Committee on Corporations.

#### PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, for the last two or three weeks in the Senate of Pennsylvania, I have heard much about highway safety and the highway safety program in Pennsylvania. I feel that the bill which I am about to introduce will do much to improve highway safety in Pennsylvania.

This bill will require an applicant for a driver's license in the Commonwealth of Pennsylvania to submit the application along with three photographs; one of which will be attached to the operator's permit, one will be retained in Harrisburg and the third, if the operator successfully passes the examination, will become a part of his driver's license.

Mr. President, I think this will eliminate abuse in Pennsylvania whereby other experienced drivers are taking tests for drivers who can neither read nor write. It will also give the State Police of Pennsylvania some jurisdiction in some way, so that when they arrest drivers, it will eliminate someone else driving a car with another driver's license.

#### BILL INTRODUCED AND REFERRED

Mr. ROONEY read in his place and presented to the Chair Senate Bill No. 1082, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring photographs of an applicant for an operator's license to be affixed to the application, permit and operator's license.

Which was committed to the Committee on Highways.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, on behalf of the group of Senators who represent that part of Pennsylvania known as The Delaware Valley, and a group of Senators from this side, I am privileged to introduce a bill in the interest of Temple University.



## BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL, WALKER, WEINER, WATKINS, EHRGOOD, SILVERT, LANE, CAMIEL, DONOLOW, KELLER, PROPERT, MULLIN, McCREESH and ROONEY read in place and presented to the Chair Senate Bill No. 1083, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia, Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

Which was committed to the Committee on Appropriations.

Messrs. SHAFER and WHALLEY read in place and presented to the Chair Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 392), entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public," requiring public notice of such meetings and prescribing penalties.

Which was committed to the Committee on Local Government.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 1085, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; . . ." prescribing additional enforcement powers to the Secretary of Labor and Industry and increasing certain fees.

Which was committed to the Committee on Labor and Industry.

Messrs. McCREESH AND ROONEY read in place and presented to the Chair Senate Bill No. 1086, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the secretary to extend the time for registration and operators' licenses.

Which was committed to the Committee on Highways.

Messrs. McCREESH, HAYS, MAHADY, SEYLER and WAGNER read in place and presented to the Chair Senate Bill No. 1087, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing permanent certification for certain persons teaching in private institutions.

Which was committed to the Committee on Education.

Mr. WEINER (By request) read in his place and presented to the Chair Senate Bill No. 1088, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," abolishing the State Council for the Blind and transferring its powers and duties to the Department of Public Welfare; changing the names of certain hospitals and making certain hospitals and schools State institutions; prescribing powers and duties of the department relating to local welfare organizations and providing for reimbursements for child welfare programs.

Which was committed to the Committee on Public Health and Welfare.

Messrs. MULLIN, WEINER and KALMAN read in place and presented to the Chair Senate Bill No. 1089, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees in connection with motor vehicles.

Which was committed to the Committee on Highways.

Messrs. HAYS and SEYLER read in place and presented to the Chair SENATE Bill No. 1090, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for the performance of certain duties by the State Council of Education with regard to secondary schools.

Which was committed to the Committee on Education.

EDWIN F. RUSSELL

PRESENTED TO SENATE

The PRESIDENT. Before we go to the next order of business, the Chair would like to present to the Senate, and ask him to say a few words, Mr. Edwin F. Russell, Publisher of the Harrisburg Patriot-News. He has just returned from the trip which Vice President Nixon made to Russia. I think we would all be interested.

Mr. Russell, would you please come up to the dais?

REMARKS BY EDWIN F. RUSSELL

Mr. RUSSELL. Governor Davis, Senator Taylor, Distinguished Gentlemen of the Senate and Ladies and Gentlemen: Needless to say, I am honored and, of course, flattered and also dreadfully embarrassed. I am not sure that the embarrassment does not deprive me of a certain amount of the pleasure that this honor you do me would otherwise afford me.

There are no experts on the Soviet Union and very few Westerners are well enough informed on the great enigma which that Country presents, in order to formulate sound opinions. I certainly do not consider myself in the latter category, much less the former. However, I will not impose upon your kindness by protesting further. I will immediately launch into a series of categorical statements which I hope you will recognize not as originating with me, but coming from sources much better placed to form opinions than I assume.

First of all, the American public will be very much remiss if they expect anything tangible or anything apparent from the visit of Mr. Khrushchev. If we are able to get the machinery of international diplomacy off the dead center on which it has found itself for the past two or three years, something will be accomplished, but it will not be apparent. The most important thing that could come of this, and I am sure we will not know of the results for some time, is that perhaps the very serious and dangerous misconceptions that this man has of the United States may be corrected. There is even some serious doubt about this because these Communists seem to have a way of deluding themselves and even distorting their own vision and the recording of that vision. The important thing, however, is that if Mr. Khrushchev is able to sense something of the spirit of the American people, it may effect, favorably to us, his future decisions. He may know about our material welfare, but, from some of the answers he gave the Vice President, it is apparent



that he does not take all of the reports he has received at their face value.

The Soviet objectives have not changed. The international junkets and these exchanges of visits between the heads of States have lessened the tension to some extent, but it is extremely unlikely that the Soviets have any different objectives than they have had in the past. They have a great deal more confidence in their own ability today than they had a few years ago. They are pretty well satisfied that they can prevail, through means of peaceful competition, as they put it. However, their objective is to lick us. This they may do because they are working, they are producing and they are not afraid of automation. They are not seeking means to reduce their own production, as we sometimes engage in, but the most important thing is the spirit of the Soviet people, or the Russian people,—perhaps more properly put—which is difficult to convey. They have something of the spirit of a student body on the eve of a big game. They are good natured, but they are deadly earnest. They have certain complaints. They feel certain that they are being deprived of some things which they might otherwise be entitled to. However, at the moment, the important thing is to win this contest. They will tell every foreigner who visits there, particularly every American, that they are going to lick us at our own game.

To do this, they are going to have to make some changes in their own Country, and this may benefit us substantially. They have managed to throw off some of the fetters of Stalin's monolithic state. Managers are beginning to manage. They are given a certain little freedom in obtaining materials and in seeking markets for their produce. More important, they are being very well rewarded, bonus wise, for the production and the gains which their factories make. These bonuses are being handed on down through the plant, not from manager to employee, but are being provided to the employees who produce. As a result, there is a stratification and a class difference building up in that Country which, if it continues at the present pace, may very well exceed anything that we have known in the United States in my lifetime.

Material benefits are apparent. At any rate, they are apparent to those of us who have visited the Soviet Union before. Most Americans and Westerners who visit that Country for the first time are struck with the drabness, the austerity and the monotony of Soviet life. On the other hand, the Soviet citizen is absolutely dazzled by the progress and the magnificence of his present lot in many instances. Of course, averages do not hold true for everyone.

It avails us nothing to visit a brand new Soviet apartment and discover that the plaster is cracking, or the paint is peeling, or the door is warping, or the hardware is not functioning, or that the kitchen has only a small cold water sink and the stove is only a wood burning stove. To the Soviet citizen who has just moved into this apartment, it is entirely a new way of life. To some degree, he now controls his own life. At any rate, those he has to consider are his wife and his children, and not his nieces, nephews and in-laws, with whom he had been forced to live in the past. Therefore, an entirely new vista has been opened to him. The fact that the paint or

plaster is chipping in his apartment is not important because last year, there was no apartment. He has certain rights which he was never aware of before. He does not hesitate to criticize his government on occasion, although very guardedly. He may now own land, build a house on it and sell it at a profit if he so chooses. He presumably can do with his returns what he pleases. Of course, if I might digress in the atmosphere of this room, I might observe that his income tax is remarkably small, on a national basis. However, his sales tax is not four per cent, but rather it runs anywhere from fifty to 100 per cent.

When their progress in that Country, becomes more apparent, there are going to be some very substantial changes in their method of operation. They are still dreadfully hampered with bureaucracy. Trade unions only function today if they get more produce and more production out of the workingman. I think it will not be long, after the workingman has his own apartment and maybe his pea patch in the country and perhaps, a small car or conveyance which he can call his own, before he begins to demand for himself a voice, or a larger voice, in his own affairs and the trade union will eventually have to represent him. What happens in that Country at the time when they approach the difficulties that we knew here twenty or twenty-five years ago, may afford us an opportunity for hope.

If you ask me what the future holds, I do not know. Quite obviously, none of us do. If you ask me to speculate on what our relations with this Country will be for the next several years or what results there will be from exchanges that are now taking place, I would guess that we have one generation, or maybe two generation of continued tension, at which time we will resolve very few problems in terms of specifics. During this period of tension. I think there is no doubt that the Soviet Union is going to progress very substantially. They may reach the state that we are in today and they may very well be on a par with us in another generation. However, in this progress that they make, they are going to take many larger steps away from Communism. In the Soviet Union today, there is no Communism. There is merely precious little Socialism. There is a great deal of colossal Capitalism in the form of State ownership. Also, there is beginning to be these little evidences of individual Capitalism. There is nothing we can do which is going to substantially alter that except if we should go to war and destroy everything. On the other hand, our relations with them and our relative position in the future, as far as we can control it, will depend to a much greater extent upon what we do here at home to recapture the spirit, the drive, the ingenuity upon which we built our lives and our standards of living. Perhaps, it may rest to an even greater extent upon the will with which we resist the pressures to legislate this spirit, this enterprise, into some old fashioned status.

Thank you very much for the honor that you do me. I will not impose further with personal observations on a problem for which the great statesmen of the world have found no solution.

The PRESIDENT. On behalf of the Senate, Mr. Russel, we indeed thank you very, very much for this enlightening discussion.



## SENATE RESOLUTION

## CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF THE LATE JUDGE HERBERT E. MILLEN

Mr. STIEFEL offered the following resolution (Serial No. 51), which was read, considered and agreed to:

In the Senate, August 17, 1959.

A great German philosopher once coined a phrase that succinctly summarizes the essence of the contributions of the late Herbert E. Millen, Judge of the Municipal Court of Philadelphia who died while visiting in San Francisco, California, on July 25, 1959: "Perceptions without out conceptions are empty-conceptions without perceptions are blind." Still another philosopher said that "Justice judges the cause by the effect and Mercy judges the effect by the cause."

Judge Millen, in attaining an impeccable mastery of tempering justice with mercy, was superbly qualified for the complex duties of a member of a judicial tribunal, namely, the Municipal Court of Philadelphia, that is now being hailed not only in Pennsylvania, but throughout the entire United States as an ameliorative agency second to none that mends and heals broken lives and families.

Judge Millen's perceptions were blessed with a cleanliness of purpose and an incisive, dedicated, intelligent and compassionate understanding of distraught humanity that in an endless procession comes daily before the Domestic Relations Branch of the Municipal Court of Philadelphia. By understanding the causes of delinquencies that beset our society today, Judge Millen applied soul-searching conceptions of his judicial duties and thereby effectively succeeded in administering a justice marked by firmness and fairness to all and, at the same time, tempered by mercy for the downtrodden and underprivileged.

Judge Millen was the first Negro named to the Judiciary in the State of Pennsylvania, and the thirteenth Negro Judge in the United States.

His deep anchorage in the finest American loyalties and his fervent dedication to the various causes which he espoused as a great American generally and as the towering leader of the Negro community in particular, both in Philadelphia and Pennsylvania, singled him out as a indefatigable tiller in the Vineyards of Democracy. Judge Millen's inspiring leadership in such fields of civic endeavor as the National Conference of Christians and Jews; the Community Chest; Lincoln University; Downingtown Industrial School; and especially the Mercy Douglass Hospital, have been time and again been acclaimed. To each one of these pursuits, Judge Millen brought a sincerity of dedication, integrity of mind and a grasp of principle which earned for him the admiration and respect of all those who had the privilege of being associated with him.

Judge Millen's positions of public and private trust were too numerous for mention within the scope of this Resolution. Thus he served Pennsylvania as Deputy Attorney General of the Commonwealth of Pennsylvania; secretary of the Philadelphia County Board of Public Assistance; Philadelphia's and the nation's first Negro assistant director of Public Safety; Judge of the Municipal Court of Philadelphia, by appointment in 1947 as the first Negro to be named to the bench in Pennsylvania and by election in 1949 to a ten-year term; the first Negro to serve on the Philadelphia County Board of Law Examiners; president of the Board of Mercy-Douglass Hospital; and vice president of the Board of Lincoln University, to which, as an alumnus of the class of 1910, he was particularly devoted and where, as at the University of Pennsylvania Law School later, he had received an education against great financial odds.

NOW BE IT THEREFORE RESOLVED, That the Senate of the General Assembly of Pennsylvania pay homage to the memory of a great Pennsylvanian, who rendered such distinguished public service to the Nation, Commonwealth and his native City of Philadelphia.

AND BE IT FURTHER RESOLVED, That the Senate

of the General Assembly of Pennsylvania tender its deep sympathy to his wife, Madelene G. Millen and to the members of Judge Millen's family in the hours of their sad bereavement.

## PERMISSION TO ADDRESS SENATE

Mr. RIPP asked and obtained unanimous consent to address the Senate.

Mr. RIPP. Mr. President, the Allegheny County Sportsmen's Association, in past years, has selected the sportsman of the year. In past years, Mr. Art Rooney, President of the Pittsburgh Steelers, was selected as the sportsman of the year in Allegheny County. Last year, Mayor Lawrence, now Governor Lawrence of this Commonwealth, was selected as the sportsman of the year. The Allegheny County Sportsmen's Association, this year, has selected General Richard K. Mellon.

At this time, Mr. President, I am offering this resolution, honoring General Mellon.

## SENATE RESOLUTION

## CONGRATULATIONS OF THE SENATE EXTENDED TO GENERAL RICHARD K. MELLON UPON BEING SELECTED AS THE "SPORTSMAN OF THE YEAR FOR 1959"

Mr. RIPP offered the following resolution (Serial No. 52), which was read, considered and agreed to:

In the Senate, August 17, 1959.

General Richard K. Mellon has been selected as "Sportsman of the Year for 1959" by the Allegheny County Civic Sportsmen's Association. Previous recipients of the award have been Meyer "Buck" Gefsky, well known Pittsburgh banker, and former basketball great; Arthur J. Rooney, President of the Pittsburgh Steelers, for aiding in the advancement of professional football; and the Honorable David L. Lawrence, then Mayor of the City of Pittsburgh, now Governor of this Commonwealth, for his personal interest in all sport projects.

The Allegheny County Sportsmen's Association is composed of leading sportsmen and other civic leaders residing throughout Western Pennsylvania. Their selection of General Mellon continues the line of outstanding men selected for this coveted award.

General Mellon's sense of competition and fair play has not only made him a giant in the world of business, but also a persuasive force in the cultural, educational, scientific and philanthropic fields. In all of his activities, General Mellon carries with him the traits and attitudes that have won him the acclaim of his fellow sportsmen. He has annually spear-headed the world famed Rolling Rock Steeplechase Races at Ligonier, Pennsylvania. Each phase of his varied careers as soldier, sportsman, citizen and philanthropist is accented with a feeling of equity and fairness to his friends and competitors; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania extend its heartiest congratulations to General Richard K. Mellon, humanitarian, public servant and civic leader, for being selected as the "Sportsman of the Year for 1959;" and be it further

Resolved, That a copy of this resolution be presented to General Richard K. Mellon.

## REQUESTING THE FURNISHING OF PROPER ADDRESSES IN CONNECTION WITH THE FORWARDING OF RESOLUTIONS

The PRESIDENT. On behalf of the hard working staff of the Senate, may I ask each of you Members of the Senate to kindly give us the address to which a copy of a particular resolution is to be sent, because we have



trouble in ascertaining such addresses. This does not apply to the last resolution because I am quite sure it can simply be addressed to the General in Pittsburgh. However, I think in cases of others less known in our State, it would help a great deal if you could give us the names and addresses of the persons to whom you wish a copy of the resolutions sent.

## SENATE CONCURRENT RESOLUTION

### TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, August 17, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, August 24, 1959, at TWO o'clock P. M., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 24, 1959, at THREE-THIRTY o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## SENATE RESOLUTION

### CONGRATULATIONS OF THE SENATE EXTENDED TO TEMPLE UNIVERSITY IN MAKING USE OF THE MAXIMUM NUMBER OF HOURS AVAILABLE TO TEACHING

Messrs. WADE, PROPERT, EHRGOTD, SEYLER and HAYS offered the following resolution (Serial No. 53), which was read, considered and agreed to:

In the Senate, August 17, 1959.

Temple University, one of the greater institutions of higher learning in the Commonwealth should be commended for their forward looking approach to the problem of the increased number of students looking for a college education.

In order to give the opportunity of education to thousands of additional students, Temple University has virtually a twelve month program. The University operates day and evening classes for twelve months in each year and is closed for two weeks only, one during the Christmas holidays and another at Easter. Each weekday classes begin at 8:30 A.M. and continue until 10:00 P.M.

As far as the use of space is concerned, all national studies point to Temple as one of the few institutions that uses its space to a maximum. There are only a few institutions of higher learning in the state that can say they use all their classrooms fourteen hours per day.

If all the colleges and universities in the State followed the program of Temple and the other institutions who have similar schedules there would be a great deal more room and added facilities available for those who would like to receive an education; therefore be it

Resolved, That the Senate congratulate Temple University for its fine display of forward thinking in making use of the maximum number of hours available to teaching and in using all the space available to them; and be it further

Resolved, That the Senate urge the other colleges and universities throughout the State who have not already done so to look into the Temple program of space and time utilization; and be it further

Resolved, That a copy of this resolution be forwarded to Millard E. Gladfelter, the president of Temple.

## BILLS INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE (By request) read in place and presented to the Chair Senate Bill No. 1091, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing periodic examinations or re-examinations of operators and penalties for the violations of licensing provisions.

Which was committed to the Committee on Highways.

He also (By request) read in his place and presented to the Chair Senate Bill No. 1092, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

Which was committed to the Committee on Highways.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

### EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. PECHAN.

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nomination were read as follows:

### JUSTICE OF THE PEACE

August 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry T. Watts, Main Street, Millville, Columbia County, for appointment as Justice of the Peace in and for the Borough of Millville, Columbia County until the first Monday of January 1960, vice Howard T. Mordan, resigned.

DAVID L. LAWRENCE.

### MEMBER OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERAN'S CHILDREN

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ruth Miller Steese, Mifflinburg, Union County, for reappointment as a member of the Board of Trustees of Scotland School for Veteran's Children, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

### MEMBER OF THE BEAVER COUNTY BOARD OF ASSISTANCE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Beaver County Board of Assistance:

Edward L. J. McCabe (Dem.), Ambridge, Beaver County, from July 25, 1958, until December 31, 1960, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Klaswick, 244 South Church Street, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, until the first Monday of January 1960, vice M. J. Farabaugh, deceased.

DAVID L. LAWRENCE.

## MEMBERS OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Board for the Examination of Public Accountants, for the term of four years, and until their successors are appointed and qualified:

John R. Holland, Esq., 4922 Ellsworth Avenue, Pittsburgh 13, Allegheny County.

Irving Yaverbaum, 315 Edward Street, Harrisburg, Dauphin County.

DAVID L. LAWRENCE.

A motion was made by Mr. BERGER and Mr. PECHAN, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

## NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. PECHAN. Mr. President, I second the motion. The motion was agreed to.

## CALENDAR

## BILLS ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House Amendments, go over in their order:

Senate Bill No. 170, Printer's No. 1053; and

Senate Bill No. 387, Printer's No. 1242.

The PRESIDENT. Is there objection? The Chair hears none.

## THIRD READING CALENDAR

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1, Printer's No. 1302, on third reading go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 243, entitled:

An Act amending the act of December 15, 1955 (P. L. 865), entitled "An Act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control authorizing the Secretary of Forests and Waters to determine the need for and location of such projects and to acquire the necessary land" earmarking a certain portion of the fund for the establishment development and construction of a State park and dam in Indiana County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, on Senate Bill No. 243, I have received a letter from the Department of Forests and Waters on this matter, and I would like to have the Senate have the benefits of that communication. The position taken by Secretary Goddard is that he feels there is no money in the program, or the present budget, for this project.

I would just like to read this letter, from the Secretary of Forests and Waters, to the gentlemen in this Body. It reads as follows:

"I would like to go on record with your office as being in opposition to the provisions of Senate Bill No. 243 introduced by Honorable Arthur E. Kromer on February 16, 1959 and referred to the Committee on Forests and Waters— Game and Fish—on the same day.

"It is quite apparent on a review of the projects approved under the provisions of Act 256—a copy of the list of said projects recently submitted to the Budget Office of the Governor—that the present balance of that fund has already been committed and that additions to the fund for some years hence will be similarly encumbered thereby.

"Obviously, our entire program based upon the provisions of Act 256 depends upon the discretionary power of the Secretary of Forests and Waters. That fact was clearly spelled out in the original Act and it has been upon this premise that our program has been formulated. Any withdrawal of that discretionary power from this office and any placing of all or part of it under any other body regardless of its make-up or position will place our program in jeopardy and render our plans ineffective.

"Sincerely yours"  
/s/ "Maurice K. Goddard"

Mr. President, I am sure there must be a need for a recreation park and dam in Indiana County. However, I



am certain that some of the Senators sitting on this side, as well as those sitting on the other side, also have projects in their counties. I am sure that they, too, would like to dip into this fund for those necessary projects.

If we are going to set up, as we have under Act No. 256, a fund to take care of these projects and ask the Secretary of Forests and Waters, or the person who is in charge of this fund, to project out his thinking to take care of those problems which come up in the Commonwealth from time to time and, on the other hand, we then superimpose our own thinking and pass legislation to overcome what we might think is his best thinking, we are certainly not going to get anywhere. What is going to happen is that these plans and the fund, after all, are going to become chaotic.

I think our best plan is to turn this over to an administrative officer, whoever that might be—we have already decided that by Act No. 256—and let him operate it. If we do not feel that his operation is a correct one, I think we should address our problems and our questions to him. I do not think we should supersede his actions by legislation.

I have no doubt that the project in Senator Kromer's area is not only needed, but necessary. Knowing Senator Kromer well and having a great regard for him, I do not think he would do anything that would wreck any fund or any program. I think the problem is one which he should take up with the Secretary of Forests and Waters, rather than with the Senate and then have to fight this problem out in the House, where he may or may not get cooperation. Basically, I think that is where the problem lies.

If the gentleman is anxious to have this bill go over in order, in order to have an opportunity to talk to the Secretary of Forests and Waters, I will join in that motion. If his desire is not to do that, I believe the only action that I or anyone else can take, who speaks for the Administration, is to have the administrator review this measure. If he finds that it is not in the budget, then he should have the necessary action taken either by the House or by the Governor when this matter comes to them.

I, therefore, ask that my colleagues vote "no" on this measure.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. McMENAMIN. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—33

Berger,	Kalman,	McMenamin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Propert,	Wagner,
Confair,	Kromer,	Rooney,	Walker,
Ehrgood,	Madigan,	Scott,	Watkins,
Elliott,	Mallery,	Shafer,	Whalley,
Flack,	McCreesh,	Stevenson,	Wolfe,
Harney,			

#### NAYS—11

Barr,	Lane,	Ruth,	Stiefel,
Donolow,	Mahady,	Seyler,	Weiner,
Hays,	Mullin,	Silver,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I was going to ask that Senate Bill No. 275, Printer's No. 299, be recommitted to the Committee on Appropriations. This may have been overlooked after the bill passed second reading. The reason, therefore, is that it will require doubling whatever expenses have been allocated already for this activity.

We raise the amount from \$5 to \$10, and from \$60 to \$120 per year. Whatever money has been allocated for this purpose, I think will have to be taken up by the Committee on Appropriations in order to make the necessary adjustment, either in the budget or in the measure, itself.

The PRESIDENT. The bill is now on final passage. Therefore, if you make such a motion and it is seconded, we would be in a position to recommit it.

And the question recurring,

Shall the bill pass finally?

#### BILL RECOMMITTED

Mr. WEINER. Mr. President, I move that Senate Bill No. 275, on final passage, be recommitted to the Committee on Appropriations.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, the bill has passed third reading, has it not?

The PRESIDENT. It has passed third reading and is now on final passage.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 323, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," extending the time in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards

providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidences of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 543, Printer's No. 579, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 875, Printer's No. 892; and

House Bill No. 876, Printer's No. 838.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 915, entitled:

An Act amending the act of April 9, 1929 (P L 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

#### NAYS—0

A majority of all the Senators having voted, "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 971, Printer's No. 1140; and

Senate Bill No. 972, Printer's No. 1141.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1034, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the use of 1959-1960 valuations in determining reimbursement fractions for the 1960-61 school year.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, next to last line of Title, by striking out "1959-1960" and inserting: "1957."; Amend Sec. 1 (Sec. 15), page 3, lines 13 to 19, by striking out all of said lines, and inserting: "notwithstanding any provision of this act or any other law, for payments of appropriation to be made to school districts for the school year 1959-1960 and payable during the school year 1960-1961, each school district's market valuation to be used for purposes of computing its basic account standard reimbursement fraction, subsidiary account reimbursement fraction, and capital account reimbursement fraction shall be the market value of the taxable real property in the school district as finally adjusted and determined by the board for 1957, certified to the Superintendent of Public Instruction on June 30, 1958, and used for making payments of appropriation in 1959-1960."



On the question,  
Will the Senate agree to the amendments?  
They were agreed to.  
On the question,  
Will the Senate agree to the bill on third reading, as amended?

Mr. SILVERT. Mr. President, I have no objection to the amendments as offered to Senate Bill No. 1034. However, I do want to call to the attention of the Senate that this bill, as it stands today, has been dubbed a bill to rob Philadelphia and Pittsburgh. These words were used by a very responsible newspaper in the Commonwealth of Pennsylvania, the Philadelphia Evening Bulletin.

We, on this side, have prepared amendments to this bill which, if adopted, will make it possible for us to vote for this bill. The amendment which I have, a copy of which I have given for consideration by the Republican Caucus, would permit Philadelphia and Pittsburgh, and those other school districts which receive an increase in appropriation subsidies from Pennsylvania, to retain them. Those who lose them will lose them gradually, at the rate of twenty-five per cent this year, twenty-five per cent next year, fifty per cent the following year, and so on. It will, therefore, be easier on those school districts

As I said, I am not offering these amendments today, but Senator Ripp and I intend to offer them tomorrow. We hope that the Republican Caucus will decide to go along with us.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 1034, Printer's No. 1221, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1360, Printer's No. 630, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1447, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929, imposing additional powers and duties on the Department of Health and establishing a fee.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1507, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing the Department of Public Instruction to grant priority of reimbursement eligibility to certain projects and providing that the approved reimbursable costs of such projects shall not be included within the aggregate for projects already undertaken or to be undertaken.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1561, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to assign transfer and set over to the Pennsylvania Game Commission the control and jurisdiction of 158.89106 acres more or less of land situate in Limerick Township Montgomery County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Rlpp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1579, Printer's No. 894;  
House Bill No. 2201, Printer's No. 1091; and  
House Bill No. 2237, Printer's No. 1188.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Republican Caucus and a Democratic Caucus, to be held in the respective Caucus Rooms.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

#### AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

#### RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 8:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore. Are there any objections? The Chair hears no objection, and declares a

recess of the Senate until 8:00 o'clock p. m., Eastern Standard Time.

#### AFTER RECESS

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

#### HOUSE MESSAGES

##### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1078 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1078, entitled:

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216), providing for biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

##### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1078 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1078, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1078.

Ordered, That the Clerk inform the House of Representatives accordingly.

##### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1080 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1080, entitled:

An Act amending the "Professional Engineers Registration Law," approved May 23, 1945 (P. L. 913) providing for biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.



SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE BILL  
No. 1080 AND APPOINTS COMMITTEE OF  
CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1080, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.  
The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1080.

Ordered, that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON NON-CONCURRENCE IN  
AMENDMENTS TO HOUSE BILL No. 1081 AND  
APPOINT COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1081, entitled:

An Act amending the "Architects Registration Law," approved July 12, 1919 (P. L. 933), providing for biennial renewal of certificates and changing fees in accordance therewith.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL NO. 1081  
AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1081, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.  
The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1081.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL No. 1082  
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1082, entitled:

An Act amending the "Chiropody Act of 1956" (P. L. 1206) providing for biennial renewal of registration and changing fees in accordance therewith.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1082  
AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1082, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.  
The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1082.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL No. 1083  
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1083, entitled:

An Act amending the "Osteopathic Practice Law," approved March 19, 1909 (P. L. 46) providing for biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1083  
AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1083, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.  
The motion was agreed to.

The PRESIDENT. THE Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1083.

Ordered, That the Clerk inform the House of Representatives accordingly.



HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL No. 1084  
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1084, entitled,

An Act amending the "Optometrists' Licensure Law," approved March 30, 1917 (P. L. 21) providing for biennial registration and changing fees in accordance therewith.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1084  
AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1084, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1084.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL No. 1099  
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1099, entitled:

An Act amending "The Professional Nursing Law," approved May 22, 1951 (P. L. 317), providing for biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1099  
AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1099, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs.

SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1099.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL No. 1512  
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1512, entitled:

An Act amending the "Pharmaceutical Practice Law" approved May 17, 1917 (P. L. 208), changing from annual to biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS  
NON-CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1512  
AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1512, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1512.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE  
IN AMENDMENTS TO HOUSE BILL No. 1513  
AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1513, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), changing from annual to biennial registration, and increasing certain fees.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE BILL  
No. 1513 AND APPOINTS COMMITTEE OF  
CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate



do insist upon its amendments to House Bill No. 1513, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1513.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1514 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1514, entitled:

An Act amending "The Veterinary Law," approved April 27, 1945 (P. L. 321), changing from annual to biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1514 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1514, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1514.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1515 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1515, entitled:

An Act amending the "Medical Practice Act," approved June 3, 1911 (P. L. 639), changing from annual to biennial registration and increasing the registration fee.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such

committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1515 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1515, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1515.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1516 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1516, entitled:

An Act amending the "Chiropractic Registration Act of 1951," approved August 10, 1951 (P. L. 1182), changing from annual to biennial registration.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1516 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1516, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1516.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1881 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on

its non-concurrence in Senate amendments to House Bill No. 1881, entitled:

An Act amending the "Consumer Discount Company Act," approved April 8, 1937 (P. L. 262), further regulating the granting of licenses and providing for appeals.

and has appointed Messrs. POLEN, BOIES and WALL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

**SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1881 AND APPOINTS COMMITTEE OF CONFERENCE**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1881, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1881.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SECOND READING CALENDAR  
BILL OVER IN ORDER**

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 141, Printer's No. 1303, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I am not objecting to this bill going over in its order. However, Mr. President, I am a little bit concerned about this piece of legislation in so far as the bill has been amended. I think the amendments change the bill completely. I notice that the title has been slightly changed. I think that the sponsors of the bill, or the persons who are in favor of it in this Chamber, should give this bill some careful consideration before we vote on it, because we might be passing an unconstitutional bill, aside from the substantive material and just from a purely legislative point of view, in the sense that the title may not be consistent with what is included in the bill.

I also think that the amendments to the bill might receive some careful consideration before we act on it because it will have to go back to the House for concurrence. Perhaps, it might be well that we consult some of those persons in the House before we take any action.

The PRESIDENT. There being no objection, the bill will go over in its order.

**BILL ON SECOND READING**

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 283, entitled:

An Act amending the act of June 3 1937 (P. L. 1333)

entitled "Pennsylvania Election Code" providing for special elections in case of tie votes in certain county-wide elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

**BILL ON SECOND READING AMENDED**

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employes from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a change against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. RIPP offered the following amendments:

Amend Section 5, page 4, line 14 by striking out "of" and inserting in lieu thereof: "not to exceed"; Amend Section 5, page 4, line 14 by striking out "for" and inserting in lieu thereof: "not to exceed".

They were agreed to.

The section was agreed to as amended.

The sixth, seventh and eighth section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

**BILL OVER IN ORDER**

Mr. RIPP. Mr. President, I ask unanimous consent that Senate Bill No. 573, Printer's No. 1230, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

**BILLS OVER IN ORDER**

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 816, Printer's No. 942;

Senate Bill No. 901, Printer's No. 1246; and

Senate Bill No. 902, Printer's No. 1247.

The PRESIDENT. Is there objection? The Chair hears none.



## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 941, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To to transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1032, Printer's No. 1216;

Senate Bill No. 1033, Printer's No. 1217.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1035, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the civil service provisions of the act shall not apply to the retirement of police and firemen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1037, Printer's No. 1224; and

Senate Bill No. 1047, Printer's No. 1238.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), changing eligibility requirements for examination.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act amending the "Disease Prevention and Control

Law of 1955," approved April 23, 1956 (P. L. 1510), providing for the examination of recalcitrant persons suspected of being infected with venereal disease, tuberculosis, or any other communicable disease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 706, entitled:

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510) providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease, tuberculosis or any other communicable disease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1077, entitled:

An Act empowering the Department of Health to regulate the burial of radioactive material and to issue permits therefor; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1129, entitled:

An Act amending the act of June 12, 1931 (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; . . .," providing for a provisional license.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1448, entitled:

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510) allowing court appointed physicians and physicians of penal institutions to make examinations for venereal disease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## SENATE RESOLUTION

## CONGRATULATIONS OF THE SENATE EXTENDED TO THE SAEGERTOWN AREA HIGH SCHOOL BAND

Mr. SHAFER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAFER offered the following resolution (Serial No. 54), which was read as follows:

In the Senate, August 17, 1959.

On Friday evening, August 14, the eyes of the Nation were focused upon an annual football classic; that game in which the professional world champions, this year the Baltimore Colts, met the amateur world's best, the College All Stars.

During the half-time intermission, the Nation was en-



tained with a sparkling performance by the Saegertown Area High School Band.

The general excellence of this half-time show was best noted by Vice President Nixon who voiced the lavish praise which the band so richly deserved; therefore be it

Resolved, That the Senate of Pennsylvania congratulate this wonderful musical organization from Crawford County, Pennsylvania, on its spectacular achievement and thank all who participated, for so well representing our State before the Nation; and be it further

Resolved, That copies of this resolution be forwarded to the supervising principal of the Saegertown Area High School and to the director of the Saegertown Area High School Band.

On the question,

Will the Senate agree to the resolution?

Mr. WEINER. Mr. President, I just want to make an observation here. I believe, in the resolution, it was stated that Mr. Nixon was very lavish in his praise. I think the gentleman has done a fine job in Russia and that his sentiments have changed in his thoughts about Russians and people who are closely associated with them, from what they used to be a few years ago. There may be some inconsistent statements, but I am willing to take the words of Emerson who said, "Consistency is the hobgoblin of small minds."

However, Mr. President, I am beginning to feel that Mr. Nixon is becoming the all-American boy. There is hardly a sports event which takes place that he does not attend. Whether it occurs in Chicago, Los Angeles, or even out here in Saegertown, he will be there. I would also like to point out that I think some of the other people in the Republican Party are certainly entitled to equal time.

Mr. BERGER. Mr. President, I believe that this mazurka will be the last one which will be offered on behalf of Vice President Nixon for the next few days.

An the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

#### PERMISSION TO RETURN TO THE ORDER OF BUSINESS OF LEAVE OF ABSENCE

Mr. SEYLER. Mr. President, with the agreement of the Majority Leader, I wish now to ask for unanimous consent to return to the order of business under the heading of Leave of Absence.

Mr. BERGER. Mr. President, there is no objection.

The PRESIDENT. There being no objection, we will return to the order of business of Leave of Absence.

Mr. SEYLER. Mr. President, in the rather long duration since early this afternoon, I have had a telephone conversation with my colleague, Senator Miller. As a result, I would like to ask that the leave of absence, so generously granted by the Senate to Senator Miller, be now limited to the duration of just today.

The PRESIDENT. Is there any objection to the leave of absence for the gentleman from Beaver County, Mr. Miller? Are you objecting, Senator Silvert?

Mr. SILVERT. No, Mr. President, I proudly join in the motion.

The PRESIDENT. Thank you, This was unexpected. Are there any objections?

There being no objections, the leave is granted for today's Session.

Mr. FLEMING. Mr. President, I realize that this is probably funny to my colleagues on the other side. How-

ever, I would like the record to show, and you have shown, that the leave of absence is for today's Session only.

The PRESIDENT. It was very clearly so stated, Senator Fleming. It was stated by Senator Seyler at the same time, and I simply followed his request.

Mr. FLEMING. All right, Mr. President.

#### RECESS

Mr. BERGER. Mr. President, I request at least a one-half hour recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held in the Finance Committee Room on E Floor.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one-half hour recess of the Senate.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

#### REPORTS FROM COMMITTEE

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Finance, reported as amended, House Bill No. 660, entitled

An Act amending the act of June 1 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business for a limited time.

He also, from the Committee on Finance, reported as amended House Bill No. 661, entitled:

An Act amending the act of July 15, 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

He also, from the Committee on Finance, reported as amended, House Bill No. 662, entitled:

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly know as title in-



insurance or trust companies" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

He also, from the Committee on Finance, reported as amended, Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing penalty provisions for failure to file reports on time.

He also, from the Committee on Finance, re-reported as amended, House Bill No. 1285, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or re-defining certain words terms and phrases imposing tax on certain additional tangible personal property or services providing certain exemptions, providing for uncollectable accounts, adding provisions concerning refunds increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do no proceed to the first reading of the bills just reported from committee for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 661, entitled:

An Act amending the act of July 15, 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the

benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing penalty provisions for failure to file reports on time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### PETITIONS AND REMONSTRANCES

Mr. SEYLER. Mr. President, I realize the hour is late, but I cannot pass up the opportunity to say just a few words about the Republican County Chairman of York County. I understand from the newspapers that the Republican County Chairman of York County has taken to writing letters. Of course, this is his privilege, but a rather unusual way in which he chooses to do it.

According to my reading of the newspaper articles, he is very interested in my vote on the four per cent sales tax. In the account I read, he cited the fact that Mr. Gailey, who is a Representative in the House, from York County, has called the legislation, which is pending, a Republican tax bill. Also, Mr. Freed said, I believe, that if Mr. Gailey and I both recorded votes against the bill, we would "make hay in York County." I do not know exactly what that means, but it sounds very promising.

I think it is a bit unusual, Mr. President, for the County Chairman of the Party opposite to that of the elected Senator to be so interested in the Senator's activities. I have heard that some County Chairmen do have influence in the House or in the Senate, but usually this influence is exerted through a Member whom they helped to elect. Perhaps Mr. Freed is taking a short cut the hard way, I guess, as to elect a Senator and then have some influence on how he votes.

Although a recent meeting I attended deprived me of the privilege of listening to it personally, I also hear that Mr. Bloom, who I believe is the State Chairman of the Republican Party, showed considerable interest likewise in my vote. Of course, I am flattered by this attention from both of these eminent gentlemen.

It may not be generally known, but Mr. Freed is a candidate in the coming election. It may be that one of his motives was to attract a little bit of additional attention to his candidacy. Most of the comments I have heard from Republican friends in the past were to the effect that Mr. Freed did not engage in enough activity and this is, perhaps, his way of making up for lost time in the past.

The people of York County have simple and rather un-

complicated minds. I think they realize that in this Senate there are twenty-eight Republican votes, and I think, being simple and uncomplicated in their thinking, that their feeling would be that if the Republican Senators thought this bill which is pending is a bad bill, they would be in a position to defeat it. On the other hand, if they feel that it is a good bill, they are in a position to pass it. I imagine if the bill passes, these simple and uncomplicated thinkers in York County may come to the conclusion that the Republicans approved of the bill and it would be difficult for me, even if such were my desire, to unconvince them of such a conclusion.

In conclusion, Mr. President, it may be presumptuous of me to attempt to advise the Republican Caucus—much more presumptuous than even Mr. Freed's attempt perhaps—but I would like to say to them, for what it is worth, that I doubt that Mr. Freed is going to be a very great addition to the eminent coaching staff which, I understand, already is at the command of the Republican Caucus. I doubt very much whether he will be a great asset to them.

Mr. BERGER. Mr. President, I only wish to remark that the Republican Caucus will accept the advice of the eminent gentleman from York for what it is worth.

Mr. BARR. Mr. President, I just want to recite for my friend, Senator Seyler, an old adage in politics: "Never write a letter, but never throw one away." I hope that he has a copy of that letter.

#### ANNOUNCEMENT OF CANCELLATION OF RADAR DEMONSTRATION

Mr. BARR. Mr. President, for the benefit of those who are going out to the radar demonstration, particularly Senator Wade, it has been called off because of the meetings and the lateness of today's Session.

The PRESIDENT. I thought it was called off because of rain.

Mr. WATKINS. Mr. President, I would like to inform my good friend from Allegheny County, Senator Barr, that through mutual agreement with the Governor of the Commonwealth and the Pennsylvania State Police, there will be no demonstration tomorrow. Probably a later date will be set, if approved by my committee.

The PRESIDENT. Thank you, Senator Watkins. That takes care of radar for the night.

#### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 18, 1959, at 12:00 o'clock, m., Eastern Standard Time.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:52 o'clock, p.m., Eastern Standard Time, until Tuesday, August 18, 1959, at 12:00 o'clock, m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, August 17, 1959.

The House met at 3:30 p.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

Father Humphrey Caputo, O.F.M., guest Chaplain, recently returned from the Mission in Honduras, presently a member of the faculty of Christopher Columbus High School, Boston, Massachusetts and guest of the House Chaplain, Rev. David. R. Hoover, offered the following prayer:

Almighty and merciful Father, all wise Creator of mankind, ever present observer of all man's actions, to Thee do we direct our thoughts and aspirations, in this brief moment of meditation.

Aware of Thy unlimited power, our own feebleness; Thy boundless wisdom, our own measured knowledge; Thy unstinting providence, our own inmate selfishness; we ask Thy assistance and guidance upon this week's session.

With Thy all-powerful grace illuminate our minds and strengthen our wills that all our deliberation and judgment be directed towards Thy honor and glory and the benefit of the people of the Commonwealth which we represent, Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, August 3, Tuesday, August 4 and Wednesday, August 5, 1959? If not, and without objection, the Journals are approved.

## BILLS INTRODUCED AND REFERRED

By Messrs. FILO and AGNEW.

HOUSE BILL No. 2318.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), permitting council to appeal from findings of the Civil Service Commission.

Referred to the Committee on Boroughs.

By Messrs. DONALDSON, DEVLIN, CLARKE and WILT.

HOUSE BILL No. 2319.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.

Referred to the Committee on Boroughs.

By Messrs. SCHWARTZ, GALLAGHER, NAUGLE and KORNES.

HOUSE BILL No. 2320.

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey to the Somerset County Development Council, 184.13 acres, more or less, in three tracts of land situate in Somerset Township, Somerset County, for development and improvement for use as industrial and commercial sites with reversion, after ten years, of unused or unimproved areas.

Referred to the Committee on State Government.

By Messrs. SCHWARTZ, GALLAGHER, NAUGLE and KORNES.

HOUSE BILL No. 2321.

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public

Welfare and the Governor, to convey 153.91 acres of land in Bensalem Township, Bucks County, and 13.134 acres of land in Somerset Township, Somerset County, in exchange for two tracts containing 109.57 acres of land, situate in Somerset Township, Somerset County.

Referred to the Committee on State Government.

By Mrs. REIBMAN, Mr. McCANN and Mr. POLEN.

HOUSE BILL No. 2322.

An Act amending the act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949", providing for additional payments to certain school districts.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mr. McCANN and Mr. POLEN.

HOUSE BILL No. 2323.

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; \* \* \*" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

Referred to the Committee on State Government.

By Mr. POLEN.

HOUSE BILL No. 2324.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Mr. POLEN.

HOUSE BILL No. 2325.

An act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS  
NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1515, entitled:

An Act amending the act of June 3, 1911 (P. L. 639) entitled as amended "Medical Practice Act" changing from annual to biennial registration and increasing the registration fee.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1515.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS  
NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed

that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, in House Bill No. 1516, entitled:

An Act amending the act of August 10, 1959 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" changing from annual to biennial registration.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1516.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1881, entitled:

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "Consumer Discount Company Act" further regulating the granting of license and providing for appeals.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1881.

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, BOIES and WALL.

Ordered, That the Clerk inform the Senate accordingly.

### BILL INTRODUCED AND REFERREL

By Mr. POLEN. HOUSE BILL No. 2326.

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

Referred to the Committee on Appropriations.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo, for Mrs. MONROE for today.

Mrs. Varallo for Mr. MULLEN for today.

Mrs. Varallo for Mr. BRETH for Monday and Tuesday, because of illness in family.

Mrs. Varallo for Mr. SILVERMAN for today.

Mrs. Varallo for Mr. McKEEVER for the week because of illness.

Mrs. Varallo for Mr. SULLIVAN for the week because of illness.

Mr. Tompkins for Mr. BELL for the week.

Mr. Tompkins for Mr. BROWN for the week.

Mr. Tompkins for Mr. SNARE for the week.

Mr. Tompkins for Mr. BARTON for the week because of death in family.

Mr. Tompkins for Mr. KNECHT for the week.

### COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 878, 1100, 1273, 1375, 1389, 1390, 1391, 1429, 2076, 2128, 2132 and 2135.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 878, Printer's No. 424, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' providing for the payment of service increments to firemen in addition to their pensions."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1100, Printer's No. 312, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' authorizing the cutting or cropping of dogs' ears by veterinarians."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1273, Printer's No. 867, entitled "An Act amending the act of May 22, 1933 (P. L. 853) entitled 'The General County Assessment Law' exempting certain property from taxation."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1375, Printer's No. 631, entitled "An Act amending the act of May 17, 1921 (P. L. 789) entitled as amended 'The Insurance Department Act of one thousand nine hundred and twenty-one' imposing restrictions upon payment or division of commissions."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1389, Printer's No. 633, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' changing provisions relating to non-forfeiture benefits and cash surrender values required in life insurance



policies and providing for an age set-back in certain cases."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1390, Printer's No. 634, entitled "An Act amending the act of May 17, 1921 (P. L. 789) entitled 'The Insurance Department Act of one thousand nine hundred and twenty-one' further regulating the computation of the reserve liability of life insurance companies."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1391, Printer's No. 635, entitled "An Act amending the act of May 11, 1949 (P. L. 1210) entitled 'An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges' changing the premium basis for group policies."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1429, Printer's No. 983, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1948' permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1808, Printer's No. 802, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' authorizing pension payments to retired members of fire departments regardless of employment for compensation."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2076, Printer's No. 948, entitled "An Act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' further regulating the amount of retirement allowances and payments to the retirement fund by the county and by employees."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2128, Printer's No. 950, entitled "An Act reenacting and amending clause (2) of section 9 act of May 25, 1933 (P. L. 1050) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating

a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' providing for a time when payments shall first be made to the widow and children of members who are killed while on duty."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2132, Printer's No. 951 entitled "An Act reenacting and amending clause (5) of section 13 act of May 22, 1935 (P. L. 233) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' providing a time when payment of pensions upon disability shall first be made."

DAVID L. LAWRENCE.

August 14, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2135, Printer's No. 953, entitled "An Act reenacting and amending sections 11 and 11.1 act of May 25, 1933 (P. L. 1050) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' providing when pension payments to disabled members of the pension fund shall first be made."

DAVID L. LAWRENCE.

## BILLS SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

### SENATE BILL No. 40.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing appropriations for handling storage and distribution of surplus foods.

### SENATE BILL No. 128.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing boroughs to acquire and maintain historical property and permitting borough planning commissions to make recommendations in relation thereto.

### SENATE BILL No. 173.

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments \* \* \* increasing the invest-



ment powers of State administrative departments boards commissions or officers.

#### SENATE BILL No. 371.

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" increasing the amount of salary compensation or emolument which may be paid without prior vote of the board of directors.

#### SENATE BILL No. 372.

An Act amending the act of May 17, 1921, (P. L. 682), entitled "The Insurance Company Law of 1921" providing for deferment of payment of a portion of the salary of officers or employes for more than twelve months.

#### SENATE BILL No. 434.

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record . . . . . " granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions.

#### SENATE BILL No. 485.

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" defining "county employe" providing a service allowance for certain per diem employes further providing for a superannuation retirement allowance increasing the period of time during which a contributor may be reinstated and limiting the exception or execution.

#### SENATE BILL No. 486.

An An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law" defining "county employe" setting the time for designating a beneficiary increasing the period of time during which a contributor may be reinstated increasing the total disability retirement allowance and limiting the exemption on execution.

#### SENATE BILL No. 487.

An Act amending the act of August 5, 1941 (P. L. 803), entitled as amended "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" defining "County Employe" "Original Member" and "New Member" providing for compulsory membership and the method of making monthly payments increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution.

#### SENATE BILL No. 968.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" authorizing the sale of newspapers on Sundays.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, last Wednesday this House was honored

by a visit from a Member of the House of Representatives of Ohio. This gentleman, the Honorable Michael Sweeney, enlightened us by stating that visitors were barred from the floor of the House during sessions. Subsequent to his talk I asked him this particular question, "Does the same apply to lobbyists in the State of Ohio?" and he answered in the affirmative.

Accordingly, I broach this matter to the House with a bipartisan basis, that all visitors, including lobbyists, be barred from the floor of the House during the time of Sessions. I make this suggestion and recommendation not in derogation of the wonderful work done by these so-called Legislative Engineers, but because I believe that their removal from the floor of the House will allow us to carry on our duties more properly, more silently, and more deliberately.

During the last four years, during the terms of our former Speaker, Mr. Helm, and the prior term of our present Speaker, Mr. Andrews, we have had Session after Session interrupted by the presiding officer stating time and again, "Will the gentlemen in the aisle please take their friends to the Conference Room?" I have talked to Members on the other side of the House, the Honorable Mr. Capano, from the County of Washington, and I believe he agrees with me in this respect.

I would like to have the caucuses of the Republican and Democratic parties take up this matter. The galleries are not crowded today. I look up there and I see a young gentleman about ten years of age with his mother, probably from the County of Adams, for some reason or other. I say that we should be able to conduct our business with the lobbyists and the visitors—

The SPEAKER. The thoroughfare is no longer occupied by travelers.

Mr. GOLDSTEIN. Mr. Speaker, what has just occurred is an example of why I want to have the aisles reserved for members of the House exclusively. Time and time again, as I said before, our Session is interrupted. These chairs on the side should be removed so that no wig-wagging system can be worked out, so these Members of the House can attend to their duties calmly and orderly.

If we require the attendance of any bureau head or any administrative head, we will have plenty of space up in the left corner there and in the right corner to discuss these matters. I submit this particular suggestion and recommendation for your sincere attention and deliberate action, so that this particular Commonwealth and especially the Legislative Body, the House, can move ahead and discuss and handle the problems in the manner to which we are entitled.

The SPEAKER. The convention in the rear of the House will disperse.

The gentleman from Allegheny will proceed.

Mr. GOLDSTEIN. The convention having ceased in the rear of the House, I use that as the best argument why my plan should be adopted, and I hope it succeeds.

### PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to make a brief statement on the comment the gentleman made. I heard it stated that the gentleman would like to have the chairs removed from the aisles of the House. I would suggest that those



chairs be left there and reserved for families of Members of the House.

### PERMISSION TO ADDRESS HOUSE

Mr. LEONARD asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to concur in the remarks presented to the House by the gentleman from Allegheny, Mr. Goldstein.

I have been a visitor to the Ohio State Assembly; I have been a visitor to West Virginia. Nothing went on there like goes on in here at any time. If there is anyone back of the rail there or in here some place that we want information from we can go get it. They do not have to come down here and disturb us while we are in Session.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

The SPEAKER. During the interval the Chair might remark that he has always considered himself the servant of this House.

Just as one must be governed by public sentiment in the end, in the matter of legislation, so the Chair irrespective of the power with which he might be endowed, is bound to respect the public opinion of the membership of this House.

During the first months when this House honored me by making me Speaker and during the first two years of the administration, if I had felt at liberty to exercise my own discretion, there would not have been a chair along either wall. There would have been chairs reserved at the left and the right of the Speaker's rostrum; there would have been chairs at the rear of the House, on each side. The chairs in front to the left and right of the rostrum would have been reserved for former Members and the members of their families. The chairs to the rear of the House would have been reserved for our visitors. When there was an overflow, the visitors, of course, would have been invited to go to the gallery.

However, at that time, the probabilities were that such a move on the part of the Speaker would have outraged the sensibilities of some of the Members and that might be true at the present time.

The Chair would be very glad, indeed, if the matter brought up by the gentleman from Allegheny were referred to the respective causes. If the Speaker had some way of ascertaining the desires and wishes of the Members of this House, it has always been the Chair's view that it has been incompatible with the dignity of this assembly that the sidelines should have been manned by persons personally interested in promoting legislation.

We lack one thing. The architects who designed this Chamber made it very beautiful but they did not have any idea as to utility. There should be ample quarters provided in which Members can confer with their friends. When someone wants to talk to a Member, there should be a conference room to which they could repair. We lack that conference room. We have not served the convenience of our Members. We have been more diligent in serving the convenience of our visitors. There is much to be done if we are to bring this House in its conduct and

its atmosphere up to the standards that its responsibility and its inherent dignity dictates.

At any rate, the Speaker would be very glad to hear from the respective caucuses concerning a few moves that might be made to set us apart, not as a popular assembly but as a legislative body, part of the government of this Commonwealth and to be something that is not a spectacle. I do not like that boulevard over at the left. It is a thoroughfare.

### INTERROGATION

Mr. McCORMACK asked and obtained unanimous consent to interrogate Mr. A. M. LEE.

Mr. McCORMACK. Mr. Speaker, in last Sunday's Bulletin, August 16th. there appeared what purported to be a statement issued by a gentleman, and I quote that portion of the statement which I am about to speak on, and ask him whether or not he has been accurately quoted.

This particular statement pertains to the Skid Row bill and the vote last week. In that statement the gentleman discussed the futility—and this is by way of background and it will lead to my question, if you will bear with me I will put the question, after I give you the background—the futility of Mayor Dilworth in sending telegrams to House Leaders asking that the amendments be defeated, and that statement goes on to quote the gentleman as follows:

“Rather than waste taxpayers' funds on wires, Lee said, Dilworth should seek an audience with Boss Bill Green right here at home. Green can produce 34 “Wooden Indians” to vote for or against almost anything at the State Capitol.”

Now, is that the gentleman's reference; are they his words?

Mr. A. M. LEE. They are, Mr. Speaker.

Mr. McCORMACK. That's just the point I am getting at.

The SPEAKER. The Chair might interrupt the gentleman from Philadelphia. Mr. Lee, of course is acquainted with the fact that he would not be required to answer an interrogation concerning things that were said in another place.

Mr. A. M. LEE. I am willing to submit to the interrogation, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. McCormack, will proceed.

Mr. McCORMACK. Would the gentleman mind stating what he means by “Wooden Indians”?

Mr. A. M. LEE. Does the gentleman, Mr. Speaker, wish me to explain what I meant by the statement which I gave to the Philadelphia newspapers?

Mr. McCORMACK. I am sorry, I did not hear that.

Mr. A. M. LEE. I will repeat, Mr. Speaker. Does the gentlemen wish me to explain what I meant by the statement I gave to the Philadelphia newspapers?

Mr. McCORMACK. No sir, I would rather have the gentleman answer the question as to what he meant by “Wooden Indians.”

Mr. A. M. LEE. In order to answer that question, Mr. Speaker, I have to explain to the gentleman what was behind the statement and why I gave it to the papers. I have to give a little background too.

Mr. McCORMACK. Well, you can do that under unanimous consent, I suggest, but for the purpose of—



Mr. A. M. LEE. I prefer to do it under your unanimous consent.

Mr. McCORMACK. If you want to make a speech now go right ahead. As far as I am concerned it is all right.

Mr. A. M. LEE. I just say, Mr. Speaker, that this was the gentleman from Philadelphia, Mr. McCormack's idea, this interrogation, and I am perfectly happy to answer any and all questions, but I must insist that I answer them in my own way.

The SPEAKER. The Chair would agree, it is a free for all, no holds barred and no rules.

Mr. McCORMACK. Go ahead, that is perfectly all right, let the gentleman answer it any way he can, sir.

Mr. A. M. LEE. The meaning behind that statement, Mr. Speaker, was that on Tuesday of last week we had here before us a bill, Senate Bill No. 424, which purported to deal with the question of taprooms in concentrated areas and giving to the Liquor Control Board certain discretion in turning down those applications for either transfer or a license if it was detrimental to the health and welfare of the particular community involved. At the time amendments were offered to the bill to insert into it subject matter of other legislation which had already passed this House of Representatives. I sat and I observed all of the Philadelphia Democrats present, except one, vote in favor of those amendments. In my own opinion this legislation is seriously needed in the City of Philadelphia in a great number of our areas. Many of those Legislators represent those very areas which are in need of this particular type of legislation.

I felt that I had to speak out on the subject because the Mayor was sending wires up here to Harrisburg, when actually what he should have done was to go and to talk to the local leader in Philadelphia, Mr. William Green, who is Chairman of the Democrats City Committee. When I made the statement that Mr. Green could produce 34 Wooden Indians, for or against almost anything, I meant just exactly what I said in the sense that I have watched all sorts of legislation out on the floor of this House, and I have seen the way Mr. Green operates. He can pull that block of votes together for almost anything. We had tax bills and he said no, and of course, everybody jumped the reservation. As soon as he gave them the green light, right away they all jumped on the bandwagon. So that is the reason I made the statement.

The SPEAKER. The Chair would say to both gentlemen that there will be a period, undoubtedly, tomorrow when the Floor Leaders are marking the calendar and the Chair, if they so desire, will reserve that time for an extension of the pending conflict.

Mr. McCORMACK. Well Mr. Speaker, I would like to continue if I may, I will not be long.

The SPEAKER. The Chair would say that we recognized the gentleman because there was an interval during which the Floor Leaders were marking the calendar, and the Chair would request that the gentlemen let us now proceed with the calendar. As the Chair said, tomorrow is another day, and there is a lot of business, if there is something to be said tomorrow, there will be a time when the Chair will recognize the gentleman from Philadelphia.

Mr. McCORMACK. If the Chair is asking me—

The SPEAKER. The Chair does not accord his unanimous consent to miscellaneous discussion at this time, and the gentleman is speaking by unanimous consent.

Mr. McCORMACK. Is the Chair revoking the unanimous consent that was given?

The SPEAKER. The Chair is now, in order that we may consider the calendar, revoking the unanimous consent. He no longer consents.

The Chair will recognize the gentleman tomorrow.

Mr. McCORMACK. I do not wish to be recognized tomorrow, Mr. Speaker, thank you.

## SENATE MESSAGE

### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 17, 1959.

Resolved, (the House of Representatives concurring) That when the Senate adjourns this week, it reconvene Monday, August 24, 1959, at two o'clock p. m., EST and when the House of Representatives adjourns this week, it reconvene on Monday, August 24, 1959, at three-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 169, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1110, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Clarion for use of the Clarion State Teachers' College and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1590, entitled:

An Act amending the "Fuel Use Tax Act" approved



January 14, 1952 (P. L. 1965) increasing the permanent excess tax.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1593, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) increasing the permanent State tax.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

The first to third sections inclusive were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. HORST offered the following amendment:

Amend Bill, page 6, by inserting between lines 14 and 15 "Section 4. The operation, control and management of the building known as Pennhurst Annex No. 1 located on the premises of the Samuel G. Dixon State Hospital at Mount Alto and the equipment, fixtures, furnishings and personal property therein are hereby transferred from the Department of Health to the Department of Public Welfare as a part of Pennhurst State Hospital. Utilities, including light, heat, water, sewage facilities and necessary maintenance shall be supplied by the Department of Health at the expense of the Department of Public Welfare.

On the question,

Will the House agree to the amendment?

Mr. HORST. Mr. Speaker, ladies and gentlemen of the House, I would like to have permission to make a few remarks concerning this amendment.

The amendment to House Bill 1861, which I have just introduced, prohibits the transfer of Pennhurst Annex No. 1, by departmental ruling now located on the campus of Samuel Dixon State Hospital, Franklin County.

About two years ago the Department of Health gave the Department of Welfare permission to use the building known as the Children's Hospital at the Samuel Dixon State Hospital, Franklin County. Around \$150,000 to \$200,000 was spent to equip this building for mentally retarded and physically handicapped children. A part of the visible expenditures to equip this building was the erection of a 15-foot cedar fence around part of this building at a cost of approximately \$25,000.

Now if Pennhurst Annex is turned back to the Department of Health for the treatment of tuberculosis patients this fence and the rest of the money invested will be wasted, and additional money will have to be spent to re-equip it for tuberculosis patients.

The Annex at the present time houses 415 mentally

retarded and physically handicapped children. About 18 months ago these children were moved here from Pennhurst, Grove City, and now the Welfare Department wants to move them to Hamburg. I have been advised by medical authorities that these children should not be relocated or re-adjusted, from a health standpoint.

In January of this year I received a telephone call from a Doctor in Franklin County who is vitally interested in the welfare of the mentally retarded, physically handicapped children. He told me he understood from reliable sources that the Health Department was considering surrendering the Charles H. Miner Tuberculosis Sanatorium to the Welfare Department, and moving all the tuberculosis patients there to Samuel Dixon Hospital in Franklin County. At the same time the Pennhurst Annex children would be moved to Hamburg.

I asked the Doctor how many patients were at the Samuel Dixon Hospital. He replied there were approximately 500 tuberculosis patients receiving treatment there for about a thousand beds, not including the Children's Hospital. He also said there was one building known as the Nurses' Dormitory has been idle for two years.

Upon inquiring as to the number of doctors at the Samuel Dixon Hospital for tuberculosis patients he said there were 16. I then asked the number of doctors at Pennhurst Annex. He replied Dr. Jaslow, a full time doctor, and Dr. Wolfinger, a part time doctor, and Dr. Lowman, a chiroprapist, who was there about four or five hours per week. These three doctors take care of 415 children. In regard to the number of tuberculosis patients at the Charles H. Miner Hospital, he replied there were between 250 and 300, and that he understood there were approximately 14 doctors there.

Several weeks later I received a notification from the Franklin County Medical Association that they had adopted a resolution unanimously that Pennhurst Annex stay at Samuel Dixon Hospital, from a health standpoint; also that the mentally retarded and physically handicapped children should not be moved. The Nurses' Association of Franklin County and various service clubs and organizations have also objected to the removal of the Pennhurst Annex.

This amendment to House Bill 1861 I feel sure will save the Commonwealth several hundred thousand dollars by leaving the children in their newly-furnished, well-equipped and economically-operated building.

Mr. Speaker, and ladies and gentlemen of the House, in the past several years I have heard and read in the newspapers that this Legislature has not been interested in the mentally retarded or physically handicapped children of the state. I stand here today pleading for these poor children who are unable to speak for themselves, through no fault of their own, and are wholly at the mercy of those who care for them.

In closing, Mr. Speaker, ladies and gentlemen of the House, I request a slow roll call. I would like to take this opportunity of thanking you for your kind consideration in support of this amendment.

Mr. McCANN. Mr. Speaker, the amendment offered by the gentleman from Franklin, Mr. Horst, to House Bill No. 1861, Printer's No. 1054, would in effect take the existing Pennhurst Annex No. 1, now located at the Samuel Dixon Hospital at Mount Alto, and leave this Annex as a department of Welfare Annex at the hospital located at Mount Alto.



I think all of us in this House will agree, first, that the various civic groups and organizations in Franklin County have certainly done an outstanding job in providing help, financial assistance and many other untold hours of effort in helping to make the guests at the Pennhurst Annex as comfortable as could humanly possibly be expected of any community.

Mr. Speaker, I rise to oppose these amendments for the following reason: I know it is difficult for the gentleman from Franklin, Mr. Horst, to look at the picture other than just the Mont Alto Hospital, or the Samuel Dixon Hospital at Mont Alto, but in turn let us look at the entire statewide picture.

Number one, since January of this year the TB patients at the Hamburg State Hospital have been continually reduced in preparation for this transfer. Number two, if you will check the budget on page 58, of which you have a copy, it lists all the hospitals and the change in the program.

What are we trying to do here? We are trying to provide approximately 600 more beds for welfare patients in the overall plan of the Department of Public Welfare in the Commonwealth of Pennsylvania.

What have we done by making this very move? By taking the Pennhurst Annex that is now located at the Samuel Dixon Hospital at Mont Alto the patients from that Annex would be transferred to the Hamburg State Hospital, which would be a Department of Welfare hospital. Right now that hospital is a TB hospital. The patient load at the TB hospital in Hamburg has been continually reduced until, if you look at the records, you will find that it is, at the first of the month, approximately 150 TB patients, where at one time it had 500, in anticipation of this move.

We have to provide more space for our Department of Welfare patients, and particularly in this field we want to provide as much space as possible. The gentleman would say then, well leave the Annex at Pennhurst, but also take over the Hamburg State Hospital for the welfare program.

The TB patient case-load in Pennsylvania is reducing, thank goodness it is, and moves are foreseen in which initial hospital space will eventually become available.

In this move we are faced with what? We are hunting in the neighborhood of 2,600 bed space for the TB load, statewide. This includes Pittsburgh, Mont Alto, Cresson, Philadelphia, as each of these hospitals would be in the TB class. In the budget, very carefully, there was a reduction of \$1.2 in the Health Department in anticipation of this move, and it appears in the budget.

None of us have any quarrel, absolutely none, with the amendments by the gentleman from Franklin, Mr. Horst, regarding the Pennhurst Annex for this has operated very, very well. There are some collective statements regarding the statements that Mr. Horst has made. I have in front of me from the listing of the expenditures at Mont Alto Annex No. 1, Pennhurst, itemized and certified to, showing that the total expenditure at this Annex was \$151,169.03.

This money will not be wasted, nor will there have to be an additional large sum of money spent to convert that building, or buildings, that are now known as Pennhurst Annex No. 1, to be used in the TB patient load.

What are the plans for Mont Alto Hospital in the entire picture? The present capacity of Mont Alto TB Hospital is

920 beds. Including the Annex and the new building that will be opened up, that the gentleman from Franklin, Mr. Horst, spoke about, it will provide us with 1400 beds for TB patients at Mont Alto in Franklin County. By shifting the patients from the Pennhurst Annex No. 1 this becomes available and the hospital at Hamburg, would, in turn, become the Welfare Department hospital for this program. This, in turn, means that the Health Department is relinquishing what? Better than 120 beds. So that we, in turn, can gain 600 beds for the children in this program.

I rise to oppose these amendments and ask that the Members of this House support the position of opposing the amendments offered by the gentleman from Franklin County, Mr. Horst, on the grounds that the overall program is extremely important. It is very important that we provide the 600 additional beds. It is extremely important that we operate our program at the least possible cost to the Commonwealth.

As I mentioned before, in the budget you can check, the Department of Health reduction in figures is \$1.2, and the TB case-load at Mont Alto the costs per patient will be a reduction of approximately \$3 per day in this overall program. This is another example of getting the most for the dollars that you and I spend in providing the best possible human care for each of these respective classes of patients, whether they be TB or Department of Welfare cases.

I think it is fitting to say in closing that all the patients now located in Hamburg State Hospital have received their notifications quite some time ago regarding the transfer to Mont Alto. It is also a matter of record that the personnel involved in the two hospitals operated by two different departments, Health and Welfare, have all been interviewed and all been given an opportunity to either transfer to the new hospital or, as in many cases, remain with the hospital in the respective location they are located now. Of course, the doctors would be transferred, as well as highly technical people in each of their respective fields, and the intentions are to do that very thing. So, there in no problem about the personnel, and the people who were employed in this field in Franklin County did an outstanding job in taking care of these guests at the Pennhurst Annex No. 1.

This is good, sound welfare legislation, to provide the additional beds we need at the lowest cost we can provide, to reduce our cost in the TB program, to provide the care that we need to give to our TB patients. Most important any area hates to give up a program that it has done so well with, but the overall important program of the state is just as important because of the tremendous caseload awaiting for entry in this field to our various hospitals.

I ask that the Members oppose the amendments offered by the gentleman from Franklin, Mr. Horst, to House Bill No. 1861.

Mr. HORST. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. HORST. Mr. Speaker, I would like to know what it is going to cost to revamp the Hamburg TB hospital into a mentally retarded institution?

Mr. McCANN. The expenditure, at the present time,



to revamp the Hamburg State Hospital into the Department of Welfare program is estimated as \$50,000 and is so stated.

Mr. HORST. What does that include?

Mr. McCANN. That includes, basically, the items that are needed in the change of the hospital for some additional equipment that certainly would be needed because some of the bed load would increase. The equipment would be needed in the hospital. Basically, the hospital is rather well equipped with its kitchen equipment, with its equipment for other operations of the hospital which has operated for quite some time, and the expenditure would be extremely light, except for the small amount, as I stated, of \$50,000.

Mr. HORST. Mr. Speaker, can the gentleman tell me how much for the new kitchen and the new laundry, which is proposed by GSA, is in that figure which you gave me? How much is that going to cost?

Mr. McCANN. No, that would not be in that figure Mr. Speaker, whether you transferred this or not. You would have the problem of the laundry, which is a capital expenditure, and the bakery, as indicated by the gentleman from Franklin, Mr. Horst. I would like to say that the estimated expenditure for capital improvements, I believe, when the budget will come out here, will be approximately \$460,000, sir.

Mr. HORST. Plus the \$55,000?

Mr. McCANN. Plus the \$50,000. But, the \$460,000, I repeat, would have no bearing whether the hospital remained in one category or another. This is a capital expenditure in which these improvements are needed and would have to be made if you just maintained it continually at a per patient load as a TB hospital.

Mr. HORST. Did not the gentleman just say, Mr. Speaker, that the kitchen and everything was in very good shape and operating efficiently, at an efficient level, and would not need any expenditures and that only \$55,000 would be expended?

Mr. McCANN. Again I repeat, so you have no misunderstanding, \$50,000 is the estimated operating expense that would be incurred at the Hamburg State Hospital to make it available and ready to operate as a Department of Public Welfare hospital handling the Department of Public Welfare patients in this field.

Mr. HORST. Plus the additional cost of the \$200,000, \$300,000, or \$400,000 to have the kitchen and bakery enlarged.

Mr. McCANN. Those are capital expenditures, Mr. Speaker, which would be listed in whatever category the hospital would operate in.

Mr. HORST. What will it cost to revamp Pennhurst Annex from the Health Department to TB?

Mr. McCANN. Mr. Speaker, the cost to revamp Pennhurst Annex No. 1 from the present program to the TB program would be nothing.

Mr. HORST. It would be nothing?

Mr. McCANN. Mr. Speaker, the cost would be nothing.

Mr. HORST. Well now how about the beds, the equipment?

Mr. McCANN. Mr. Speaker, the beds for the hospital, in the transfer of the hospital, would not be purchased for that particular wing or annex, as you call it.

Mr. HORST. What do they intend to do with this chil-

dren's hospital which was designed for the treating of children TB patients?

Mr. McCANN. It would be used in the treatment of the 1400 TB patients at Mont Alto. The present hospital has room for 920; the annex that you speak about, including the wing that will be opened up, will make a total bed capacity at Mont Alto of 1400 TB patients, and that annex would be used for TB patients.

Mr. HORST. Well, this amount we have had at Mount Alto ever since it was built. I do not know whether you know it or not, Mr. Speaker, but this building was designed for children. The rooms are larger, as group units. Now it is not designed for one or two patient beds; it is for four and six patient beds in these rooms. Now, do you mean to tell me, Mr. Speaker, that is not going to cost anything to revamp that building?

Mr. McCANN. Mr. Speaker, there are no intentions to revamp the building in its interior, as the gentleman from Franklin quite well knows. I assume he means tearing out the walls, replacing them with other locations of walls, since it was designed basically as a children's TB annex at the time it was built, sir.

Mr. HORST. What will become of the equipment that is at Pennhurst Annex once the children are moved into Hamburg?

Mr. McCANN. What equipment do you speak of, sir?

Mr. HORST. I am talking about the equipment used in the treating of mentally retarded and physically handicapped children, which is entirely different equipment than that used for the treating of tuberculosis.

Mr. McCANN. That equipment, which is used entirely in one field, will be transferred to the Hamburg State Hospital, but that equipment which is used normally in every hospital, which is listed on the \$151,000 expenditure would be retained at that hospital because it is used in that hospital, or any other hospital, where patients are located.

Mr. HORST. Mr. Speaker, I would like to ask the Majority Leader, what is the cost per day per patient at Pennhurst?

Mr. McCANN. Mr. Speaker, I do not have at my fingertips the cost per patient, per day, at Pennhurst Annex No. 1.

Mr. HORST. The reason I brought that up is because you dwell on how economical this operation would be by just sending them all down to Hamburg. Now, the latest figures I have are \$3.17. Now, what is the cost at Pennhurst Annex per day?

Mr. McCANN. Mr. Speaker, I would not have the Pennhurst Annex figures.

Mr. HORST. Could you get them for me?

Mr. McCANN. I am sure the Appropriation Committee Chairman can get the cost per patient, per patient day of Pennhurst Annex No. 1, separately from Pennhurst Hospital.

Mr. HORST. Mr. Speaker, are there any other annexes in Pennsylvania operated?

Mr. McCANN. Yes, Mr. Speaker, I believe that there were some other annexes—am I correct that there was one in Selinsgrove at one time?

Mr. HORST. No, I mean one now. Is there any other annex now in Pennsylvania?

Mr. McCANN. I believe there are other annexes and there have been other annexes in each field.



Mr. HORST. What is the operating expense of the Annex at White Haven?

Mr. McCANN. Mr. Speaker, if the gentleman would have informed me that he wanted to know the operating cost of any annex, or any hospital, the figures could be supplied immediately.

Mr. HORST. Would it be too much trouble to just pass over this debate until you get the figures and start in then? Since you started to give the overall picture that this building is not economical and so forth and so on, I had to dig some figures out and I thought I would ask a little bit.

Mr. McCANN. Mr. Speaker, so that we would have no misunderstanding, would the gentleman from Franklin, Mr. Horst, notify the House here of any figures that he might like to have so that the Appropriations Committee Chairman could secure them immediately?

Mr. HORST. Mr. Speaker, the gentleman spoke about 151 odd thousand dollars. Now, how much did it cost to excavate? Do you have an item of excavation in there?

Mr. McCANN. Mr. Speaker, of the \$151,000 that I mentioned in the debate, all but \$36,000 is in equipment; \$36,000 deals with parking lot, excavation, entrance—

Mr. HORST. How much for excavation, the excavation under the building, I am talking about?

Mr. McCANN. Mr. Speaker, any item that the gentleman wants we can get. I have it broken down into a total. There was \$151,000 spent in the Pennhurst Annex No. 1. All but \$36,000 is in equipment. In that money is included the entrance, the parking lot, the excavation, the fence, all of the items that the gentleman has in mind, and we can get them for him, the entire cost on any questions that he asks.

Mr. HORST. Did you know that the excavating alone ran around \$25,000 to \$28,000? And that the fence, on your record you told me the other day, was \$12,000; and Mrs. Horting, I pinned her down twice on how much the cost of the fence and the erection would be, and she replied, around \$12,500. I came back and asked the second time and she gave me the same answer, that the fence would cost that much. Now the fence actually cost about \$23,000 and what will become of that fence? My taxpayers in Franklin County are wondering what we are doing here in spending money foolishly.

Mr. McCANN. The fence located at the Pennhurst Annex No. 1 that the gentleman speaks about certainly is there and it was paid for at the time it was built.

Mr. HORST. How long ago?

Mr. McCANN. I think maybe I could answer it this way: at the time you pinned down Mrs. Horting you could have found out when the fence was built.

Mr. Speaker, I'll be more than pleased to answer any question the gentleman cares to ask on any financial matter regarding Pennhurst Annex, and I assure him I am not trying to evade any costs on any subject.

Mr. HORST. Well, so much until you get your figures.

Now I have something else. The gentleman told me that Hamburg when equipped, ready to go, will have 600 beds. Is that right?

Mr. McCANN. Mr. Speaker, if the gentleman will check on page 58 of the budget he will find listed Charles H. Miner State Hospital, Hamburg with a patient capacity of 600.

Mr. HORST. Is that for TB or is that for mentally retarded?

Mr. McCANN. Patient capacity as it is now listed, of course, is for TB. So it would be 600 or more.

Mr. HORST. Now, how many children are there at Pennhurst Annex?

Mr. Speaker, I do not have in my notes right here the number of patients now located at Pennhurst Annex No. 1, Department of Public Welfare. Whatever the gentleman says is, without a doubt, the correct figure.

Mr. HORST. Mr. Speaker, there are 415 beds for mentally retarded, physically handicapped children at Pennhurst Annex as of Friday evening at 4:30. Last Friday there were 413 patients in the Pennhurst Annex.

Now you, Mr. Speaker, say that you are looking for more beds for these mentally retarded, physically handicapped children. You intend to move from Pennhurst Annex which is efficiently operated and where they are treated fine. You have admitted to that. If you take 413 from 600, how many does that leave you, to go into this new building in which you say we are going to save money, and going to spend a half or three-quarters of a million dollars to revamp?

Mr. McCANN. Mr. Speaker, the hospital at Hamburg has a 600 bed capacity as a TB hospital. There is no question in anyone's mind that it will handle more than 600 children. When it is equipped and in a position to handle 600 adults as its capacity load, it would have to be 600 or more children, and I am confident it would be more.

Mr. HORST. Last February when we met with a bipartisan group from our county, including the Democrat judge, our friend, Chauncey Depew, Senator Elliot, the doctors and so forth who were interested, and the people who were interested in the mentally retarded program of Franklin County, I understood Mrs. Horting to say that the capacity would be about 1,000.

No I understand from you that there are about 3,000 people who are looking for treatment by the Commonwealth in our mentally retarded and physically handicapped institutions?

Mr. McCANN. Mr. Speaker, I am sure the figures he is using are approximately correct. The Appropriations Committee has information which says that approximately 2800 are on the waiting list desiring treatment in this field.

Mr. HORST. Now if we could leave the children at Penn Hurst Annex, the 417 children there, and revamp the Charles H. Miner Institution into the Hamburg Mentally Retarded Institution, which I am one hundred per cent for, we would be able to put 1,000 of those 2800 in an institution under our direction, and take care of the children at Pennhurst Annex. Am I correct, Mr. Speaker?

Mr. McCANN. The way you add it up, you could do that. There is no question that is what that would equal when you add it up.

Mr. HORST. How would you add it up any other way to get economy and utilize everything we have at our command and get the most out of it?

Mr. McCANN. That is true, that is how you would add it up, but when you took that space of the Annex which is listed for TB patients, and I told you the overall TB case load and patient load in the Commonwealth, then would you not have reduced at least that figure in the TB field?

Mr. HORST. Mr. Speaker, according to the Health De-



partment on February 8—that happens to be my birthday—there were 853 patients at Mont Alto. I do not know whether you know it or not, but there are actually only 550 patients receiving treatment. The rest of those patients some 200, are still carried in order to keep the load up, showing a good load. They are on the payroll, a lot of those people. They work up there. Yet they have been patients who have been discharged; their lungs are clear, but they stay up there and work and are carried on; as our program shows here, 853.

Now if you remember, I made a statement of 575 TB patients receiving treatment. You made a statement that there were approximately 1,000 beds, 1400 beds. This nurses' dormitory has 100 beds that have been idle for two years and they have been heating it until a couple weeks ago when they put the windows up and aired out the buildings. Take that off and you now have 1,300. Take 400 off of that and you still have room enough to take care of all the TB patients at Hamburg and move them up to the sanitorium of Samuel Dixon.

Mr. McCANN. Mr. Speaker, I disagree with the gentleman. The TB hospital at Mont Alto now is of 920 bed capacity.

Mr. HORST. Sure. I . . .

Mr. McCANN. When you add in Pennhurst Annex No. 1 and the building you are speaking about, you will then come to a 1400 TB capacity hospital at Mont Alto, sir.

Mr. HORST. How many patients have been moved up and are going to be moved up from Hamburg?

Mr. McCANN. Mr. Speaker, there will be somewhat over 300 total in the transfer. At the first of January, 1958, Hamburg had 500 TB patients. First of January 1959, it had 400 TB patients. It is being reduced continually. Hamburg had at the first of the month approximately 158 patients on the list, and notices have been given to each of them transferring them. The transfer also includes Philadelphia and Hamburg and Mont Alto, sir.

Mr. HORST. How many are moving out of Hamburg? 150—some patients, in round figures. Is that right, Mr. Speaker?

Mr. McCANN. In January—

Mr. HORST. We are not waiting until January. There are some who have left. We are talking about the patient load now or within the last week.

Mr. McCANN. Mr. Speaker, this move has already been in progress, to transfer these patients, and we are transferring them in the various areas, both Philadelphia, Hamburg and Mont Alto. There is no question that on the first of the month there were 158 patients at Hamburg. And a notice to each of them telling them of the transfer has been given. I am sure you have seen a copy of this as it is given to the patients, each patient at the Hamburg State Hospital.

Mr. HORST. Are you ready to give me some operating figures?

Mr. McCANN. The Chairman of the Committee on Appropriations informs me that he will give to Mr. Horst all the figures on everything for which he has asked.

Mr. HORST. I happen to have the figures. I do not know if they are exactly correct. I just wondered whether you had them. I wanted to verify them.

Mr. McCANN. Mr. Speaker, I would like to say this. I hope the gentleman's figures are correct and if they are incorrect, he has the information, although the first figures

he used, I believe, had some discrepancy as outlined by the gentleman from Franklin, Mr. Horst.

Mr. HORST. That is why I am asking for the correct figures. We want the record correct.

What I would like to know, Mr. Speaker, what is the per day operating cost at Pennhurst Annex? What is the state average?

The SPEAKER. Does the gentleman have the figures? If he does, tell the Majority Leader.

Mr. HORST. Well, according to the figures I have here, the Majority Leader's first figure was wrong, but it is \$3.17 for Pennhurst. Now that is down at the big institution. The Pennhurst Annex, was \$3.68. White Haven was \$4.50; that is an annex. The state average was \$3.78. Now if you take the state average, the Pennhurst Annex \$3.68 against \$3.78, we are working the boys up there at the Annex, Pennhurst Annex, about 10 cents an hour under the state average.

The gentleman has implied this operation up there would be impractical. For two and a half years this institution has been under the direction of Pennhurst, down in the eastern part of the state, where patients have been taken care of. When they arrived at Pennhurst they were averaging anywhere from 70 to 80 epileptic fits per month. Today their average is 5 to 15.

The less you disturb mentally retarded people, or the less you disturb anybody—some of us sometimes get disturbed—the better off you are. I am not a doctor but I have inquired, and the doctors have advised that this should be left where it is.

This administration of the Department of Health and Welfare has seemed to agree that they are going to take Pennhurst "off the hill" as we call it, and take over Hamburg. I am 100 percent in favor of that. I am in favor of the TB and the mentally retarded programs. I wouldn't want to see anyone hurt, but I am here also, and I think it is time for each and every one of us to use a little economy and try to make our tax dollars go as far as humanly possible.

The Record-Herald in Waynesboro, the Public Opinion in Chambersburg, have printed articles and editorials by various people who are vitally interested in this program, and they all have come up with the same answers, that it would be a mistake to move that when we need so much more space in this state.

I plead with you folks to think what you are doing by voting down this amendment this afternoon. You are kicking the mentally retarded program back instead of forward. I have no crows to shoot or no plums to pick. I am here on behalf of these poor mentally retarded people who cannot speak for themselves and who through no fault of theirs are a wholly responsible ward of this Commonwealth. We elected several years ago to take this obligation on and I think we should utilize our space, every available space, in this state and not have institutions less than half filled here, there and elsewhere and operating expenses going up because of the vacancy of occupancy in the operation of these institutions.

I thank you. Mr. Speaker, I would like to have a slow roll call and only those present answer to their names.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. Horst and Merry and were as follows:



## YEAS—87

Agnew,	Gibb,	Lee, A. M.,	Seltzer,
Ashton,	Goldstein,	Lee, K. B.,	Stevens,
Auker,	Goodrich,	Light,	Stewart,
Balthaser,	Gramlich,	Lippincott,	Stoner,
Blair,	Heffner,	McCandless,	Strausser,
Boris,	Helm,	McInroy,	Stroup,
Bower,	Henzel,	Magee,	Tompkins,
Bowman,	Hocker,	Mahan,	Ujobai,
Brenninger,	Holliday,	Merry,	Varnier,
Buchanan,	Horst,	Miller, B. Z.,	Wall,
Davis,	Isaacs,	Miller, H. G.,	Wescott,
Dengler,	Johnson, A. W.,	Murphy, P. J.,	Whittaker,
Dennison,	Johnson, R.,	Murray, H. P.,	Williams, A.D., Jr.,
Donahue,	Jones, T. H. W.,	Murray, P. G.,	Williams, E. S.,
Down,	Jump,	Naugle,	Willard,
Edwards,	Kee,	O'Dell,	Willaredt,
Eshback,	Kelser,	Odoristo,	Wilt,
Eshleman,	Kernaghan,	Ogilvie,	Wood,
Ewing,	Kessler,	Price,	Worley,
Fetterolf,	Kooker,	Pursley,	Wynd,
Fulmer,	Korns,	Rigby,	Zimmerman,
George,	Kubitsky,	Royer,	

## NAYS—98

Anderson,	Garlock,	Mills,	Scarcelli,
Arlene,	Gelfand,	Muldowney,	Schaaf,
Boies,	Hamilton,	Munley,	Schuster,
Bonner,	Holt,	Murphy, A. J., Jr.,	Schwartz,
Burns,	Irvie,	Murray, J. J.,	Sherman,
Capano,	Jenkins,	Musto,	Shupnik,
Cianfrani,	Jim,	Needham,	Snider,
Cioffi,	Jones, F. R.,	Nelson,	Stank,
Clarke,	Kamyk,	O'Donnell, J. A.,	Steckel,
Comer,	Kornick,	O'Neil,	Stimmel,
Crossin,	Kovolenko,	Parlante,	Stone,
Curwood,	Lamb,	Pashley,	Taylor,
Devlin,	Leonard,	Perry, H. H.,	Trusio,
Dougherty,	Limper,	Perry, P. E.,	Varallo,
Elberg,	Lopresti,	Petrosky,	Verona,
Farabaugh,	Luigard,	Polaski,	Walsh,
Filo,	Lutty,	Polen,	Wargo,
Fineman,	McCann,	Prendergast,	Weidner,
Floyd,	McCormack,	Reibman,	Welsh,
Flynn,	McDonald,	Reidenbach,	Wheeler,
Foerster,	McLaughlin,	Renwick,	Yatron,
Frank,	Markley,	Riley,	Yetter,
Frascella,	Maxwell,	Rovansek,	Andrews,
Galley,	Meholchick,	Rudisill,	Speaker
Gallagher,	Mihm,	Sakulsky,	

## NOT VOTING—23

Barton,	Cooper,	Knecht,	O'Donnell, J. P.,
Bell,	Dennis,	McKeever,	Silverman,
Branca,	Donaldson,	Machmer,	Snare,
Breth,	Fox,	Monroe,	Sullivan,
Brown,	Guthrie,	Moran,	Thompson,
Capitolo,	Heavey,	Mullen,	

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

Mr. HORST. Mr. Speaker, I withdraw my amendments to Section 4 and the title.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1907, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) clarifying the provisions relating to shooting across or at wild birds or animals on highways.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2027, entitled:

An Act amending "The Insurance Unfair Practices Act" approved June 5, 1947 (P. L. 445) prohibiting rates based on fictitious grouping of risks and further defining the applicability of the act.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2102, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the basis for determination of approved building construction costs for reimbursement purposes.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMENDED

Mr. POLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2173, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMENDED

Mr. POLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2194, entitled:

An Act relating to poultry regulating the slaughtering processing and marketing thereof providing for the licensure of poultry establishments conferring powers and imposing duties upon the Secretary of Health and imposing penalties.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMENDED

Mr. POLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2240, entitled:



An Act amending the "Commerce Law" approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) changing the applicability of the act and the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HEFFNER offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 9 by striking out the bracket before "where."

Amend Sec. 1 (Sec. 1), page 2, line 11 by inserting brackets before and after "six" and inserting immediately thereafter: "two"

Amend Sec. 1 (Sec. 1), page 2, line 16 by inserting after "Mines" "and Mineral Industries"

Amend Sec. 1 (Sec. 1), page 2, line 18 by striking out the bracket after "owner."

Amend Sec. 1 (Sec. 1), page 3, line 1 by striking out the bracket before "or."

Amend Sec. 1 (Sec. 1), page 3, line 2 by inserting after "Mines" "and Mineral Industries"

Amend Sec. 1 (Sec. 1), page 3, line 11 by inserting after "Mines" "and Mineral Industries"

Amend Sec. 1 (Sec. 1), page 3, line 19 by striking out the bracket after "pro-"

Amend Sec. 1 (Sec. 1), page 4, line 1 by striking out the bracket before "ceeding."

Amend Sec. 1 (Sec. 1), page 4, line 12 by striking out the bracket after "occurred."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

Mr. HEFFNER offered the following amendment:

Amend Title, page 1, fifth line of Title by striking out "applicability of the act and the."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 65, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

#### BILLS ON FINAL PASSAGE

#### RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1427, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to request that a certified check accompany bids for contracts.

#### RECONSIDERATION OF VOTE

Mr. A. J. MURPHY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. J. MURPHY asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1316), page 2, line 15 to 18, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1690, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—185

Agnew,	Garlock,	McDonald,	Rudisill,
Anderson,	Gelfand,	McInroy,	Sakulsky,
Arlene,	George,	McLaughlin,	Scarcelli,
Ashton,	Gibb,	Machmer,	Schaaf,
Auker,	Goldstein,	Magee,	Schuster,
Balthaser,	Goodrich,	Mahan,	Schwartz,
Blair,	Gramlich,	Markley,	Seltzer,
Boles,	Hamilton,	Maxwell,	Sherman,
Bonner,	Heffner,	Meholchick,	Shupnik,
Boris,	Helm,	Merry,	Snider,
Bower,	Henzel,	Mihm,	Stank,
Bowman,	Hocker,	Miller, B. Z.,	Steckel,

Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Crossin, Comer, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Ellberg, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Fulmer, Galley, Gallagher,	Holliday, Holt, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack,	Miller, H. G., Mills, Muldowney, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer,	Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—2

Wescott,

## NOT VOTING—21

Barton, Bell, Branca, Breth, Brown, Cooper,	Dennis, Donaldson, Fox, Guthrie, Heavey,	Knecht, McKeever, Monroe, Moran, Mullen,	O'Donnell, J. P., Silverman, Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1721, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) entending the use of manufacture's jobber's and dealer's registration plates.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Boles, Bonner, Boris, Bower, Bowman, Brenninger, Buchanan, Burns, Capano, Capitolo,	Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heffner, Helm, Henzel, Holliday, Holt, Horst, Irvls, Isaacs, Jenkins,	McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Munley, Murphy, A. J., Jr., Murphy, P. J.,	Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser,
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Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Fulmer, Galley, Gallagher,	Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald,	Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Odoriso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer, Rudisill,	Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Zimmerman, Yetter, Andrews, Speaker
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## NAYS—1

Hocker,

## NOT VOTING—21

Barton, Bell, Branca, Breth, Brown, Cooper,	Dennis, Donaldson, Fox, Guthrie, Heavey,	Knecht, McKeever, Monroe, Moran, Mullen,	O'Donnell, J. P., Silverman, Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

## BILLS PASSED OVER

There being no objection

House Bill No. 56, Printer's No. 1360 and

House Bill No. 263, Printer's No. 1349

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. GELFAND. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GELFAND asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.



Amend Sec. 7, page 8, lines 8 and 9, by striking out all of line 8 and "tract unless and until said" in line 9 and inserting "settlement until the"

Amend Sec. 7, page 8, line 11, by striking out "66 2/3%" and inserting "75%"

Amend Sec. 7, page 8, line 17, by striking out "for a" and inserting "payable within a"

Amend Sec. 7, page 8, line 18, by striking out "fifteen" and inserting "ten"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1018, Printer's No. 1308

House Bill No. 1058, Printer's No. 1350

House Bill No. 1059, Printer's No. 1353

House Bill No. 1191, Printer's No. 967

House Bill No. 1542, Printer's No. 1253 and

House Bill No. 1652, Printer's No. 1287

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1709, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the manufacture sale or offer to sell certain plastic bags within this Commonwealth.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—120

Anderson,	Gelfand,	McLaughlin,	Rudisill,
Arlene,	Goldstein,	Machmer,	Sakulsky,
Balthaser,	Hamilton,	Mahan,	Scarcelli,
Blair,	Heffner,	Markley,	Schaaf,
Boles,	Helm,	Maxwell,	Schuster,
Bonner,	Holt,	Meholchick,	Schwartz,
Bower,	Irvis,	Mihm,	Sherman,
Burns,	Jenkins,	Miller, B. Z.,	Shupnik,
Capano,	Jim,	Mills,	Snider,
Capitolo,	Jones, F. R.,	Muldowney,	Stank,
Cianfrani,	Jump,	Munley,	Steckel,
Cioffi,	Kamyk,	Murphy, A. J., Jr.,	Stevens,
Clarke,	Kee,	Murray, J. J.,	Stewart,
Comer,	Kernaghan,	Musto,	Stimmel,
Crossin,	Kessler,	Needham,	Stone,
Curwood,	Kooker,	Nelson,	Taylor,
Devlin,	Kornick,	O'Donnell, J. A.,	Trusio,
Donahue,	Kovolenko,	O'Neill,	Varallo,
Dougherty,	Kubitsky,	Parlante,	Varnier,
Eilberg,	Lamb,	Pashley,	Verona,
Eshleman,	Lee, K. B.,	Perry, H. H.,	Walsh,
Filo,	Leonard,	Perry, P. E.,	Wargo,
Fineman,	Limper,	Petrosky,	Welsh,
Floyd,	Lopresti,	Polaski,	Wheeler,
Flynn,	Luigard,	Polen,	Whittaker,
Foerster,	Lutty,	Prendergast,	Williams, A. D., Jr.,
Frank,	McCann,	Pursley,	Yatron,
Frascella,	McCormack,	Reidenbach,	Yetter,
Galley,	McDonald,	Renwick,	Andrews,
Gallagher,	McInroy,	Riley,	Speaker
Garlock,			

#### NAYS—67

Agnew,	George,	McCandless,	Stoner,
Ashton,	Gibb,	Magee,	Strausser,
Auker,	Goodrich,	Merry,	Stroup,
Boris,	Gramlich,	Miller, H. G.,	Tompkins,
Bowman,	Henzel,	Murphy, P. J.,	Ujobal,
Brenninger,	Hocker,	Murray, H. P.,	Wall,
Buchanan,	Holliday,	Murray, P. G.,	Weidner,
Davis,	Horst,	Naugle,	Wescott,
Dengler,	Isaacs,	O'Dell,	Williams, E. S.,
Dennison,	Johnson, A. W.,	Odorisio,	Willard,
Down,	Johnson, R.,	Ogilvie,	Willaredt,
Edwards,	Jones, T. H. W.,	Price,	Wilt,
Eshback,	Kelser,	Reibman,	Wood,
Ewing,	Korns,	Rigby,	Worley,
Farabaugh,	Lee, A. M.,	Rovansek,	Wynd,
Fetterolf,	Light,	Royer,	Zimmerman,
Fulmer,	Lippincott,	Seltzer,	

#### NOT VOTING—21

Barton,	Dennis,	Knecht,	O'Donnell, J. P.,
Bell,	Donaldson,	McKeever,	Silverman,
Branca,	Fox,	Monroe,	Snare,
Breth,	Guthrie,	Moran,	Sullivan,
Brown,	Heavy,	Mullen,	Thompson,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1726, Printer's No. 1306

House Bill No. 1802, Printer's No. 1255

House Bill No. 1948, Printer's No. 1358 and

House Bill No. 1984, Printer's No. 1184

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2092, entitled:

An Act amending the act of January 5, 1952 (P. L. 1833) entitled as amended "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act as amended \* \* \*" by changing and clarifying the coverage and scope of agreements and substituting "division" for "referendum."

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 2092, Printer's No. 1359, is an amendment to the social security legislation. The passage of House Bill 2092 with its proposed amendments, with the amendments in the bill, would accomplish the following items:

One: It would strengthen the definition of the Federal Social Security Act by clarifying our responsibilities as the Federal Act is from time to time amended.

Two: Updating the language of our enabling Act by making reference to the approved procedure of providing a retirement system in Pennsylvania.

Three: It would change the authority of the state agency by limiting its authority to accept plans without the exercise of optional exclusions by political subdivisions.

This is consistent with the present declared policy of the General Assembly to extend Social Security on as broad a basis as possible. This amendment would ma-

terially reduce misunderstandings in coverage which arise as a result of these options being presently provided for.

House Bill No. 2092, is legislation which certainly would be most helpful in the field of social security enabling legislation of the Commonwealth of Pennsylvania, and for this reason, Mr. Speaker, I ask that all the Members support House Bill 2092.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—187

Agnew,	Garlock,	McDonald,	Rudisill,
Anderson,	Gelfand,	McInroy,	Sakulsky,
Arlene,	George,	McLaughlin,	Scarcell,
Ashton,	Gibb,	Machmer,	Schaaf,
Auker,	Goldstein,	Magee,	Schuster,
Balthaser,	Goodrich,	Mahan,	Schwartz,
Blair,	Gramlich,	Markley,	Seltzer,
Boris,	Hamilton,	Maxwell,	Sherman,
Boies,	Heffner,	Meholchick,	Shupnik,
Bonner,	Helm,	Merry,	Snider,
Bower,	Henzel,	Mihm,	Stank,
Bowman,	Hocker,	Miller, B. Z.,	Steckel,
Brenninger,	Holliday,	Miller, H. G.,	Stevens,
Buchanan,	Holt,	Mills,	Stewart,
Burns,	Horst,	Muldowney,	Stimmel,
Capano,	Irviss,	Munley,	Stone,
Capitolo,	Isaacs,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Jenkins,	Murphy, P. J.,	Strausser,
Cioffi,	Jim,	Murray, H. P.,	Stroup,
Clarke,	Johnson, A. W.,	Murray, J. J.,	Taylor,
Comer,	Johnson, R.,	Murray, P. G.,	Tompkins,
Crossin,	Jones, F. R.,	Musto,	Trusio,
Curwood,	Jones, T. H. W.,	Naugle,	Ujobal,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Varnier,
Dennison,	Kee,	O'Dell,	Verona,
Devlin,	Kelser,	O'Donnell, J. A.,	Wall,
Donahue,	Kernaghan,	Odorisio,	Walsh,
Dougherty,	Kessler,	Ogilvie,	Wargo,
Down,	Kooker,	O'Neil,	Weidner,
Edwards,	Kornick,	Parlante,	Welsh,
Elberg,	Korns,	Pashley,	Wescott,
Eshback,	Kovolenko,	Perry, H. H.,	Wheeler,
Eshleman,	Kubitsky,	Perry, P. E.,	Whittaker,
Ewing,	Lamb,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lee, A. M.,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, K. B.,	Polen,	Willard,
Filo,	Leonard,	Prendergast,	Willaredt,
Fineman,	Light,	Price,	Wilt,
Floyd,	Limper,	Pursley,	Wood,
Flynn,	Lippincott,	Reibman,	Worley,
Foerster,	Lopresti,	Reidenbach,	Wynd,
Frank,	Lulgard,	Renwick,	Yatron,
Frascella,	Lutty,	Rigby,	Yetter,
Fulmer,	McCandless,	Riley,	Zimmerman,
Galley,	McCann,	Rovansek,	Andrews,
Gallagher,	McCormack,	Royer,	Speaker

#### NAYS—0

#### NOT VOTING—21

Barton,	Dennis,	Knecht,	O'Donnell, J. P.,
Bell,	Donaldson,	McKeever,	Silverman,
Branca,	Fox,	Monroe,	Snare,
Breth,	Guthrie,	Moran,	Sullivan,
Brown,	Heavy,	Mullen,	Thompson,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 424, entitled:

An Act amending the act of April 12, 1951 (P. L. 90)

entitled "Liquor Code" further regulating the issuance and transfer of liquor licenses.

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE ON SENATE BILL No. 424

Mr. P. E. PERRY. Mr. Speaker, I move that the vote by which Senate Bill No. 424, Printer's No. 1274, entitled:

"An Act amending the act of April 12, 1951 (P. L. 90) entitled 'Liquor Code,' further regulating the issuance and transfer of liquor licenses."

was agreed to on third reading as amended on Tuesday, August 11, 1959, be reconsidered.

Mr. DOUGHERTY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Perry vote on the third reading of this bill?

Mr. P. E. PERRY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Dougherty vote on the third reading of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

Mr. PETROSKY. Mr. Speaker, I have been advised that several moves will be made in reference to the bill in question, Senate Bill 424, and in order to conserve the time of the House, I do not feel that I would want to debate each move as it is carried out. However, at the appropriate time I would want to be recognized for discussion of the matter which is before us. It is evident that through some flurry, through some types of political capitalization we have found movements being made at the present time to undo a matter that we had accomplished here in this House by a resounding majority in the past week.

However, I would want the record to show for myself that I am in opposition to the move to reconsider.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

#### RECONSIDERATION OF VOTE AGREEING TO AMENDMENTS TO SENATE BILL No. 424

Mr. P. E. PERRY. Mr. Speaker, I move that the vote by which the amendments to Senate Bill No. 424, Printer's No. 1274, were agreed to on Tuesday, August 11, 1959, be reconsidered.

On the question,

Will the House agree to the motion?

Mr. PETROSKY. Mr. Speaker, I think at this time it would be appropriate that we know the import of the present motion that we are voting upon, and if I am not correct, I hope that the Chair would correct me, which I know he would do.

We would now by the effect of a vote, in event that the vote would prevail, undo the passage of the appeals amendments in Senate Bill 424 that was passed last Wednesday 103 to 85.

Mr. Speaker, I ask for a roll call on this motion to reconsider the vote by which the amendments passed last Wednesday.



The yeas and nays were required by Messrs. PETROSKY and P. E. PERRY and were as follows:

## YEAS—130

Agnew,	Galley,	Lee, K. B.,	Schaaf,
Anderson,	Gallagher,	Leonard,	Schuster,
Arlene,	Garlock,	Light,	Seltzer,
Ashton,	Gelfand,	Limper,	Sherman,
Auker,	George,	Lutty,	Snider,
Balthaser,	Gibb,	McCandless,	Stevens,
Blair,	Goldstein,	McCann,	Stewart,
Boris,	Gramlich,	McCormack,	Stone,
Bower,	Hamilton,	McInroy,	Stoner,
Bowman,	Heffner,	McLaughlin,	Stroup,
Brenninger,	Helm,	Magee,	Taylor,
Buchanan,	Henzel,	Mahan,	Ujohal,
Capano,	Hocker,	Merry,	Varallo,
Cioffi,	Holliday,	Mihm,	Varnier,
Clarke,	Holt,	Miller, B. Z.,	Wall,
Comer,	Horst,	Miller, H. G.,	Walsh,
Davis,	Irvils,	Muldowney,	Weidner,
Dennison,	Jenkins,	Murray, H. P.,	Welsh,
Devlin,	Jim,	Murray, J. J.,	Wescott,
Donahue,	Johnson, A. W.,	Nelson,	Wheeler,
Dougherty,	Johnson, R.,	O'Dell,	Williams, A.D., Jr.,
Down,	Jones, F. R.,	Ogilvie,	Williams, E. S.,
Edwards,	Jones, T. H. W.,	Parlante,	Willard,
Ellberg,	Kamyk,	Pashley,	Willaredt,
Eshback,	Kee,	Perry, H. H.,	Wilt,
Eshleman,	Kelser,	Perry, P. E.,	Wood,
Ewing,	Kessler,	Polen,	Worley,
Fetterolf,	Kooker,	Price,	Wynd,
Filo,	Kornick,	Pursley,	Yetter,
Floyd,	Korns,	Rigby,	Zimmerman,
Foerster,	Kovolenko,	Riley,	Andrews,
Frascella,	Lamb,	Rudisill,	Speaker
Fulmer,	Lee, A. M.,	Scarcelli,	

## NAYS—47

Bonner,	Lopresti,	Needham,	Sakulsky,
Burns,	Luigard,	O'Donnell, J. A.,	Shupnik,
Crossin,	McDonald,	Odorisio,	Stank,
Curwood,	Machmer,	O'Neil,	Steckel,
Dengler,	Markley,	Petrosky,	Stimmel,
Farabaugh,	Maxwell,	Polaski,	Strausser,
Flynn,	Meholchick,	Prendergast,	Tompkins,
Frank,	Mills,	Reibman,	Trusio,
Goodrich,	Munley,	Reidenbach,	Verona,
Isaacs,	Murphy, A.J., Jr.,	Renwick,	Wargo,
Kernaghan,	Murphy, P. J.,	Rovansek,	Yatron,
Lippincott,	Murray, P. G.,	Royer,	

## NOT VOTING—31

Barton,	Cooper,	Knecht,	O'Donnell, J. P.,
Bell,	Dennis,	Kubitsky,	Schwartz,
Boies,	Donaldson,	McKeever,	Silverman,
Branca,	Fineman,	Monroe,	Snare,
Breth,	Fox,	Moran,	Sullivan,
Brown,	Guthrie,	Mullen,	Thompson,
Capitolo,	Heavey,	Musto,	Whittaker,
Cianfrani,	Jump,	Naugle,	

So the question was determined in the affirmative and the motion was agreed to.

## MOTION TO ADJOURN

Mr. TOMPKINS. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 18, 1959 at 11:00 a. m. EST.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker—

Mr. TOMPKINS. A motion to adjourn is not debatable, Mr. Speaker.

The SPEAKER. The gentleman, if he will consult the Rules will find he has a right to be heard for two minutes but that is the only debate permissible under the Rules. The Majority and Minority Leaders, on the question of adjournment, may each, under our Rules, speak for two minutes.

The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I am quite well aware that the motion to adjourn is not debatable but, Mr. Speaker, the gentleman from Cameron quite well knows that there are bills agreed to for amendment that are to be called from the calendar here today.

Mr. Speaker, if that is the way we are going to operate here, then it is now time that we sit down and talk sense. I have passed over bills daily because you have failed to caucus on them and I think it is time that a gentleman's agreement is always a gentleman's agreement. The motion to adjourn may stand, but tomorrow morning the bills will move in order whether you caucused or not. You can vote against every one of them.

The SPEAKER. If the Minority Leader has designated an acting floor leader, the Minority Leader's designee would be permitted under the Rules to speak for two minutes.

Mr. A. W. JOHNSON. I yield to Mr. Tompkins.

The SPEAKER. The Minority Leader yields to the gentleman from Cameron for two minutes.

Mr. TOMPKINS. Mr. Speaker, in connection with passing over bills which we have not caucused on, we can not attempt to touch any of those bills today. We understood we had a gentleman's agreement that we would adjourn.

Mr. McCANN. Mr. Speaker, I have no objection to adjournment. I think the gentleman knows that last week, and the week before, and the week before that I passed bills over, and he knows quite well the bills on the calendar that are agreed to be amended today. The Minority Leader and the Whip went over those bills and have the amendments in their possession.

The SPEAKER. Nothing is in order but the motion to adjourn.

Mr. McCANN. Mr. Speaker, the motion to adjourn is quite satisfactory as far as I am concerned, and I suggest we favor the motion to adjourn at this point.

Mr. TOMPKINS. Mr. Speaker, I want to make a statement. I will withdraw my motion to adjourn.

The SPEAKER. The Chair understands the gentleman from Cameron would make a motion, which under the circumstances the Chair will consider privileged.

The Chair recognizes the gentleman from Cameron.

## MOTION TO ADJOURN WITHDRAWN

Mr. TOMPKINS. Mr. Speaker, I know there are bills on the calendar that could have been amended. I tried to have that procedure followed without calling the bill which is now under consideration because I knew it was going to take a long time to debate it, but that procedure was not followed.

I have no desire to disrupt things in this House, but when we have Monday night after Monday night come to a point where we were going to adjourn at 7:30, and we call up controversial bills that keep us here until 8:30, which disrupts our time, our meals and our health, I don't think it is fair. I will withdraw my motion to adjourn.

The SPEAKER. The gentleman withdraws his motion. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I thank the gentleman from Cameron, Mr. Tompkins.

Just so the record is clear, the Minority Floor Leader's calendar would be marked the same as mine, Senate



Bill 424, motion to reconsider today, and I believe you will find those marks on everyone's calendar.

The tentative agreed upon time was 7:30. Senate Bill 424, outside of the extra debate now, took exactly 19 minutes.

Mr. Speaker, I would like at this time to have permission to amend the bills that were agreed to.

On the question recurring,

Will the House agree to the amendments presented by the gentlemen from Westmoreland, Mr. Petrosky, on August 11, which were as follows:

Amend Title, page 2, last line of Title, by inserting after "licenses", "and further defining the powers of courts on appeals."

Amend Sec. 1, page 2, line 1, by striking out "Section 404" and inserting "Section 404, 464 and 471."

Amend Sec. 1, page 4, by adding after line 6:

Section 464. Hearings Upon Refusal of Licenses, Renewals or Transfers; Appeals.—The board may of its own motion, and shall upon the written request of any applicant for club hotel or restaurant liquor license, or any applicant for any malt or brewed beverage license other than a public service license or for renewal or transfer thereof, whose application of such license renewal or transfer has been refused, fix a time and place for hearing of such application for license or for renewal or transfer thereof, notice of which hearing shall be mailed to the applicant at the address given in his application. Such hearing shall be before the board, a member thereof, or an examiner designated by the board. At such hearing, the board shall present its reasons for its refusal or withholding of license, renewal or transfer thereof. The applicant may appear in person or by counsel, may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination the board. Such hearing shall be stenographically recorded. The examiner shall thereafter report to the board upon such hearing. The board shall thereupon grant or refuse the license, renewal or transfer thereof. In considering the renewal of a license, the board shall not refuse any such renewal on the basis of the propriety of the original issuance or any prior renewal of such license. If the board shall refuse such license, renewal or transfer following such hearing, notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all such cases, the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant. Any applicant who has appeared before the board or any agent thereof at any hearing, as above provided, who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal, or any church, hospital, charitable institutions, school, or public playground located within three hundred feet of the premises applied for, aggrieved by the action of the board in granting the issuance of any such license or the transfer of any such license, may take an appeal limited to the question of such grievance, within twenty days from date of refusal or grant, to the court of quarter sessions of the county in which the premises applied for is located or the county court of Allegheny County. Such appeal shall be upon petition of the aggrieved party, who shall serve a copy thereof upon the board, whereupon a hearing shall be held upon the petition by the court upon ten days notice to the board, which shall be represented in the proceeding by the Department of Justice. The said appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The court shall hear the application de novo on questions of fact, [administrative discretion] law and such other matters as are involved, at such time as it shall fix, of which notice shall be given to the board. The court shall in its own discretion either sustain or over-rule the action of the board and either order or deny the issuance of a new license or the renewal or transfer of the license to the applicant. The parties to the proceeding may, within

thirty days from the filing of the order or decree of said court, appeal therefrom to the Superior Court.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 471. Revocation and Suspension of Licenses.—Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor, alcohol or malt or brewed beverages, or of any regulations of the board adopted pursuant to such laws, of any violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee within the scope of this article, his officers, servants, agents or employes, or upon any other sufficient cause shown, the board may, within one year from the date of such violation or cause appearing, cite such licensee to appear before it or its examiner, not less than ten nor more than fifteen days from the date of sending such licensee, by registered mail, a notice addressed to him at his licensed premises, to show cause why such license should not be suspended or revoked. Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing, if satisfied that any such violation has occurred or for other sufficient cause, the board shall immediately suspend or revoke the license, notifying the licensee thereof by registered letter addressed to his licensed premises. Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order, during which time the licensee may take an appeal as provided for in this act. When a license is revoked, the licensee's bond may be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of three years from the date such license was revoked. In the event the board shall revoke a license, no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises, except in cases where the licensee or a member of his immediate family is not the owner of the premises, in which case the board may, in its discretion, issue or transfer a license within the said year. In all such cases, the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action or penalty of the board, he shall have the right to appeal, and a hearing de novo, to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses. Upon appeal, the court so appealed to shall, in the exercise of its discretion, [sustain reject, alter or modify the findings, conclusions and penalties of the board, based on the findings of fact and conclusions of law as found by the court] make its own findings of fact, conclusions of law and decision and on finding the licensee guilty of any violation of the law or the regulations of the board, shall in its own discretion impose a penalty as provided for by this act. The aforesaid appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The licensee or the board may, within thirty days from the filing of the order or decree of said court, file an appeal therefrom to the Superior Court. In those cases where the board shall suspend a license, the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind. In the case of a manufacturer of malt or brewed beverages, the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension; in the case of a liquor importer, sacramental wine licensee and a malt or brewed beverage importing distributor, thirty dollars (\$30); in the case of a distributor of malt or brewed beverages, twenty dollars (\$20) for each day of suspension; and in the case of a hotel, restaurant and club liquor licensee, and a retail malt or brewed beverage dispenser, or transporter for hire, ten dollars (\$10) for



each day of suspension. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Where the court shall order a suspension it may also recommend to the board that it accept an offer in compromise for all or a portion of the period of suspension.

Amend Bill, page 4, by adding after line 6:

Section 2. This act shall take effect immediately.

#### MOTION TO RECOMMIT

Mr. PETROSKY. Mr. Speaker, at this time, of course, parliamentarily it would be proper to make several moves.

I think the most sensible would be a motion for recommitment, so that the legislation before us can then, of course, be considered without the resulting confusion with what has happened up until now. Then again a motion to lay Senate Bill 424, Printer's No. 1243, which is now before us, together with the amendments, on the table. I am certain the gentleman from Cameron, Mr. Tompkins, knows it will take considerable debate to follow through on the adoption of the amendments to this bill or the dropping of the amendments.

I therefore move, Mr. Speaker, that Senate Bill No. 424, Printer's No. 1243, together with the amendments be re-committed to the Committee on Liquor Control for further consideration and possible amendments.

On the question.

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I rise to oppose the motion made by the gentleman from Westmoreland to recommit Senate Bill 424, Printer's No. 1274.

The SPEAKER. Does the gentleman insist on a roll call or will he take a standing vote?

Mr. PETROSKY. Mr. Speaker, we will take the previous roll call on the motion to reconsider the passage of the amendments, and those who want to make any changes can stand and change.

Mr. A. M. LEE. For purposes of clarification, Mr. Speaker, on the last roll call I voted to reconsider the amendments. I voted "aye." I don't want to be recorded as voting "aye" on the motion to recommit.

Mr. McCANN. Mr. Speaker, the only difference will be that the "ayes" all become "nays." The 130 to 47 would take the reverse position for recommitting.

The SPEAKER. That is what the clerks were going to do, but in order that there may be no misunderstanding the Chair will order a roll call.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. PETROSKY and P. E. PERRY and were as follows:

#### YEAS—38

Bonner,	Lopresti,	Ogilvie,	Schaaf,
Burns,	Markley,	Petrosky,	Shupnik,
Crossin,	Maxwell,	Polaski,	Stank,
Curwood,	Meholchick,	Reibman,	Steckel,
Dengler,	Mills,	Reldenbach,	Stimmel,
Farabaugh,	Murphy, A. J., Jr.,	Renwick,	Strausser,
Flynn,	Murphy, P. J.,	Rovansek,	Trusio,
Hocker,	Murray, P. G.,	Royer,	Yatron,
Isacs,	O'Dell,	Sakulsky,	Yetter,
Kernaghan,	Odorisio,		

#### NAYS—138

Agnew,	Gelfand,	Lippincott,	Scarcelli,
Anderson,	George,	Luigard,	Schuster,

Arlene,	Gibb,	Lutty,	Seltzer,
Ashton,	Goldstein,	McCandless,	Sherman,
Auker,	Goodrich,	McCann,	Snider,
Balthaser,	Gramlich,	McCormack,	Stevens,
Bower,	Hamilton,	McDonald,	Stewart,
Bowman,	Heffner,	McInroy,	Stone,
Brenninger,	Helm,	McLaughlin,	Stoner,
Buchanan,	Henzel,	Machmer,	Stroup,
Capano,	Holliday,	Magee,	Taylor,
Cioffi,	Holt,	Mahan,	Tompkins,
Clarke,	Horst,	Merry,	Ujbal,
Comer,	Irvls,	Mihm,	Varallo,
Davis,	Jenkins,	Miller, B. Z.,	Varner,
Dennison,	Jim,	Miller, H. G.,	Verona,
Devlin,	Johnson, A. W.,	Muldowney,	Wall,
Donahue,	Johnson, R.,	Munley,	Walsh,
Dougherty,	Jones, F. R.,	Murray, H. P.,	Wargo,
Down,	Jones, T. H. W.,	Murray, J. J.,	Weidner,
Edwards,	Jump,	Needham,	Welsh,
Ellberg,	Kamyk,	Nelson,	Wescott,
Eshback,	Kee,	O'Donnell, J. A.,	Wheeler,
Eshleman,	Kelser,	O'Neil,	Williams, A. D., Jr.,
Ewing,	Kessler,	Parlante,	Williams, E. S.,
Fetterolf,	Kooker,	Pashley,	Willard,
Filo,	Kornick,	Perry, H. H.,	Willardt,
Floyd,	Korns,	Perry, P. E.,	Wilt,
Foerster,	Kovolenko,	Polen,	Wood,
Frank,	Kubitsky,	Prendergast,	Worley,
Frascella,	Lamb,	Price,	Wynd,
Fulmer,	Lee, A. M.,	Pursley,	Zimmerman,
Galley,	Lee, K. B.,	Rigby,	Andrews,
Gallagher,	Leonard,	Riley,	
Garlock,	Limper,	Rudisill,	Speaker

#### NOT VOTING—32

Barton,	Capitolo,	Heavey,	Naugle,
Beil,	Cianfrani,	Knecht,	O'Donnell, J. P.,
Blair,	Cooper,	Light,	Schwartz,
Boles,	Dennis,	McKeever,	Silverman,
Boris,	Donaldson,	Monroe,	Snare,
Branca,	Fineman,	Moran,	Sullivan,
Breth,	Fox,	Mullen,	Thompson,
Brown,	Guthrie,	Musto,	Whittaker,

So the question was determined in the negative and the motion was not agreed to.

#### BILL AND AMENDMENTS LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the bill together with the amendments be laid on the table.

The motion was agreed to.

#### SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 243 and 915.

Amended House Bills returned for concurrence Nos. 1447 and 1507.

#### BILLS PASSED OVER

There being no objection, all the bills on the calendar beginning with page 9 were passed over at the request of Mr. McCANN.

#### RESOLUTION

Mrs. PASHLEY offered a resolution which was filed with the Clerk under the Rules.

#### COMMITTEE MEETINGS

COUNTIES, Mr. Cioffi, Chairman, Room 131-C, Tuesday, August 18 at 11:30 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, August 18 at 9:15 a.m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, August 18 at 11:00 a.m.

LABOR RELATIONS, Mr. Wargo, Chairman, Room 131-G, Tuesday, August 18 at 11:30 a.m.

LAW AND ORDER, Mr. Mills, Chairman, Room 522, Tuesday, August 18 at 11:00 a.m.

MILITARY AFFAIRS, Mr. Needham, Chairman, Room 324, Tuesday, August 18 at 11:45 a.m.

FISHERIES, Public Hearing, Resolution No. 95, Mr. Curwood, Chairman, Tuesday, August 18, 1959 at 9:00 a.m., New House Caucus Room. Committee on Fisheries to in-

vestigate the reason for the decline in the sale of fishing licenses.

ADJOURNMENT

Mr. BONNER. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 18, 1959 at 11:00 a.m., E.S.T.

The motion was agreed to, and (at 7:05 p.m., E.S.T.) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, AUGUST 18, 1959.

No. 80.

## SENATE

TUESDAY, August 18, 1959.

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, FATHER REGIS O'BRIEN, Professor of Philosophy and Homiletics, St. Francis Seminary, Loretto, Cambria County, offered the following prayer:

In the Name of the Father, and the Son and of the Holy Ghost, Amen.

Almighty and Eternal God, Whose providence watches over us and every human event, we earnestly beseech Thee to keep us from all pettiness. Let us be large in thought, in word and in deed. Let us be done with fault-finding and leave off all self-seeking. May we put away all pretense and meet each other face to face, without self-pity and without prejudice.

May we never be hasty in judgment and always generous. Let us take time for all things and make us to grow calm, serene and gentle. Teach us to put into action our better impulses, straightforward and unafraid. Grant that we may realize that it is the little things of life that create differences; that in the big things of life, we are as one.

In the Name of the Father, and of the Son and of the Holy Ghost, Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

August 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Mrs. Mary Devlin, 8301 Algon Avenue, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

### HOUSE MESSAGES

#### AMENDMENT TO HOUSE BILL No. 1690, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 1690, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

#### AMENDMENT TO HOUSE BILL No. 1721 RECALLED FROM THE GOVERNOR,

He also presented for concurrence, House Bill No. 1721, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) extending the use of manufacturer's, jobber's and dealer's registration plates.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1709, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the manufacture, sale or offer to sell certain plastic bags within this Commonwealth.

Which was committed to the Committee on Law and Order.



House Bill No. 2092, entitled:

"An Act amending the act of January 5, 1952 (P. L. 1833), entitled, as amended, "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provision of Title II of the Federal Social Security Act, as amended; \* \* \*," by changing and clarifying the coverage and scope of agreements and substituting "division" for "referendum."

Which was committed to the Committee on State Government.

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

#### TIME OF NEXT MEETING

In the Senate, August 17, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, August 24, 1959, at TWO o'clock P. M., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, August 24, 1959, at THREE-THIRTY o'clock P. M., E. S. T.

#### REPORTS FROM COMMITTEES

Mr. HARNEY, from the Committee on Elections reported as committed, House Bill No. 142, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

He also, from the Committee on Elections reported as committed, House Bill No. 184, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically.

He also, from the Committee on Elections reported as committed, Senate Bill No. 290, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

He also, from the Committee on Elections reported as committed, Senate Bill No. 790, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the marking and counting of ballots.

Mr. KELLER, from the Committee on State Government, reported as committed, House Bill No. 1472, entitled:

An Act authorizing the Department of Property and Supplies, with approval of the Governor, to grant an easement over certain land situate in the City of Philadelphia, County of Philadelphia.

He also, from the Committee on State Government, reported as committed, House Bill No. 1620, entitled:

An Act amending "The Fiscal Code," approved April

9, 1929 (P. L. 343), authorizing certain confidential information regarding tax or bonus to be divulged to political subdivisions.

He also, from the Committee on State Government, reported as committed, House Bill No. 1731, entitled:

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the city of West Chester.

He also, from the Committee on Education, reported as committed, Senate Bill No. 702, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," removing the classification of school supplies for the purpose of purchasing without bids and increasing the amount of supplies that can be purchased.

He also, from the Committee on Education, reported as amended, Senate Bill No. 812, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

He also, from the Committee on Education, reported as amended, House Bill No. 869, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partial sighted children.

He also, from the Committee on Education, reported as committed, House Bill No. 1015, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses, and providing penalties.

Mr. KOPRIVER, JR., from the Committee on Local Government, reported as committed, House Bill No. 354, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159) authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

He also, from the Committee on Local Government, reported as amended, House Bill No. 598, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" excluding certain contracts or purchases for operation of public works from requirement of advertising and bidding.

He also, from the Committee on Local Government, reported as committed, House Bill No. 846, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further regulating the adoption of zoning codes.

He also, from the Committee on Local Government, reported as committed, House Bill No. 847, entitled:

An Act amending "The Borough Code," approved May 4 1927 (P. L. 519), requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.



He also, from the Committee on Local Government, reported as committed, House Bill No. 982, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050) requiring tax collectors to include additional information when making statements for taxes collected.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 998, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the closing of court houses and other county offices in counties of the third class on Saturdays.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering cities of the third class boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the act to municipality authorities.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1544, entitled:

An Act amending the act of April 23, 1909 (P. L. 141), entitled "An act providing for the use of borough and township lockups and city or county prisons, for the detention of prisoners . . ." increasing daily compensation of boroughs, cities and townships from the county treasury for each prisoner incarcerated.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses therein; . . ." changing the times for filing returns.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1885, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) deleting the limitation on indebtedness for the purpose of erecting a townhouse.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1953, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing that the auditors' report shall be filed by the auditors.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2009, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further providing for the regulation of parking lots.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306),

entitled "An act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs, in the county of Cameron, and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.

Mr. WHALLEY, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 609, entitled:

An Act amending the act of May 29 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid" by making this act apply to turtles frogs and tadpoles changing creel limits and revising methods of taking.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 1038, entitled:

An Act amending the act of June 22 1937 (P. L. 1987) entitled as amended "Sanitary Water Law" permitting certain municipalities to discharge sewage in certain water.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 1645, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further specifying the time for holding meetings of the Game Commission.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 1999, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further providing for the trapping of beaver.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

### MEMBER OF THE PUBLIC SCHOOL EMPLOYES' RETIREMENT BOARD

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles R. Wilson, Pittsburgh, Allegheny County, for appointment as a member of the Public School Employes' Retirement Board, from November 19, 1957, until his successor is appointed.

DAVID L. LAWRENCE.



# MEMBER OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul C. Moomaw, Waynesboro, Franklin County, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, from June 21, 1957, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

# MEMBER OF THE PENNSYLVANIA FISH COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond M. Williams, Gladstone Street, East Bangor, Northampton County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1960, and until his successor is appointed, vice Charles C. Houser, Allentown, resigned.

DAVID L. LAWRENCE.

# MEMBER OF THE STATE FOREST COMMISSION

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Krumenacker, R. D., Carrolltown, Cambria County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

# COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I report at this time, from the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Mrs. Elizabeth G. Zeidman for reappointment as a member of the Pennsylvania Securities Commission.

The Clerk read the communication as follows:

# RECALLING THE NOMINATION OF MRS. ELIZABETH G. ZEIDMAN FOR REAPPOINTMENT AS A MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 9, 1959, for the reappointment of Mrs. Elizabeth G. Zeidman, 1319 Panther Road, Rydal, Montgomery County, as a member of the Pennsylvania Securities Commission, until the third Tuesday of January 1963, and until her successor shall have been appointed and qualified.

I respectfully request the return to me of the official message of nomination in the premises.

DAVID L. LAWRENCE.

# NOMINATIONS BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. FLEMING. Mr. President, I further report from the Committee on Executive Nominations the nomination of Mrs. Elizabeth G. Zeidman, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

# MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Pennsylvania Securities Commission, until the third Tuesday of January 1963, and until her successor shall have been appointed and qualified:

Mrs. ELIZABETH G. ZEIDMAN, 1319 Panther Road, Rydal, Montgomery County.

DAVID L. LAWRENCE.

# NOMINATION RETURNED TO THE GOVERNOR

Mr. FLEMING. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

# PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, about five or six months ago, a bipartisan group of Senators sponsored Senate Bill No. 52, which would have provided for the creation of an Industrial Development Corporation in Pennsylvania. We had several meetings with the Secretary of Commerce and, upon advice of his counsel, it was decided to rewrite this legislation.

Therefore, Mr. President, we plan on abandoning Senate Bill No. 52 and we will try to have this legislation enacted into law.

This legislation provides for the incorporation of regional business development corporations to assist, promote and encourage, through their institutional and corporate stockholders, the development of properties and the advancement of business and economic welfare of various regions of the Commonwealth. It also prescribes their duties and powers, and confers certain powers upon the Department of Banking.

Therefore, Mr. President, on behalf of my colleagues, Senator Pechan, Senator Watkins, Senator Scott, Senator Whalley, Senator McMnamin, Senator Camiel, Senator Kalman, Senator Murray and myself, I am presenting this series of bills.

# BILLS INTRODUCED AND REFERRED

Messrs. LANE, PECHAN, WATKINS, SCOTT, CAMIEL, KALMAN, MURRAY, WHALLEY and McMENAMIN read in place and presented to the Chair Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Regional Business Development Credit Corporations to assist, promote and encourage through their institutional and corporate stockholders the development of property and advancement of business and economic welfare of various regions of the Commonwealth; prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in shares of business development corporations.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in shares of business development corporations.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in State and regional business redevelopment corporations.

Which was committed to the Committee on State Government.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 1097, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. MULLIN and ROONEY read in place and presented to the Chair Senate Bill No. 1098, entitled:

An Act amending the act of 1705 (1 Sm. L. 25), entitled "An act to restrain people from labor on the first day of the week," permitting process to be served on Sunday on non-resident motorists charged with a violation of "The Vehicle Code," on a Sunday.

Which was committed to the Committee on Law and Order.

Messrs. SEYLER, HAYS, WAGNER and PECHAN read in place and presented to the Chair Senate Bill No. 1099, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

Which was committed to the Committee on Education.

Mr. SEYLER read in his place and presented to the Chair Senate Bill No. 1100, entitled:

An Act defining and prohibiting waste in the production of oil and gas, defining the powers and duties of the Oil and Gas Conservation Commission with respect to the prevention of waste in the production of oil and gas from certain geological horizons the protection of correlative rights, the spacing of well drilling operations, the unitization of lands and horizons for the purpose of regulating well spacing, providing for the enforcement of this act and the issuance of rules, regulations and orders; prescribing the rights, obligations and duties of owners and operators of interests in lands and leasehold interest therein with respect to the drilling of oil and gas wells thereon; providing for hearings and the procedures to be followed therein; imposing duties upon the courts; providing methods for the enforcement of the provisions of this act; imposing penalties and making an appropriation.

Which was committed to the Committee on Mines and Mineral Industries.

## PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, the resolution I am offering, on behalf of myself, Senator Berger, Senator Kalman, Senator McMenamin and Senator Shafer, relates to juvenile delinquency. This is a problem which I am sure all of us realize needs some corrective legislation. In the first place, we are not being fair to our young people and, secondly, we are not being fair to our older people. We have developed a group of people in Pennsylvania who, by reason of their youth, flaunt all laws and respect no one.

Mr. President, I am afraid the time has come when we must judge an individual not by the number of years he has lived, but by the hardness of his heart, by his own conduct and the point to which he has sunk in social degradation.

This resolution would refer this problem to the Joint State Government Commission for study. I think it is one which certainly needs some thoughtful and considerate study.

## SENATE CONCURRENT RESOLUTION

### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE JUVENILE COURT LAWS

Messrs. WALKER, BERGER, KALMAN, McMENAMIN and SHAFER offered the following resolution (Serial No. 117), which was read and referred to the Committee on Rules:

In the Senate, August 18, 1959.

Since the adoption of our present juvenal court laws over twenty-five years ago, experience has proven that such laws are not accomplishing their intended purpose. These laws were adopted with the principle in mind that persons of tender age did not possess the hardened concepts of criminals and thus should not be treated as such. It is becoming increasingly more apparent that age itself is no longer a valid basis of differentiation.

Many youths who still fall within the age limits of the juvenile courts are hardened criminals, as dangerous and vicious as their older counterparts, and are in no way entitled to special treatment. In fact, the special treatment afforded such juveniles under the present juvenile court system causes them to brazenly disregard the law and law enforcement officers, as they know that they will not be prosecuted as adults.



It is imperative that the prosecution and confinement of juveniles be conducted in a realistic and forthright manner; therefore be it

Resolved (the House of Representative concurring), That the Joint State Government Commission be authorized and directed to make a thorough study of the Juvenile Court Laws, their intended purpose, and whether or not this purpose is being accomplished, with a view toward repealing the existing laws and substituting a procedure whereby juveniles who are actual criminals will be treated as such, but yet protecting those juveniles who may occasionally commit unlawful acts but are not vicious or habituals.

Such study should also determine a more realistic approach to confinement of such offenders and determine which ones should be confined in separate institutions and which ones should be committed to adult penal institutions and be it further

Resolved, That the Joint State Government Commission make a report of its findings and recommendations together with drafts of legislation to carry such recommendations into effect to the next regular session of the General Assembly.

### BILL INTRODUCED AND REFERRED

Mr. KALMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. KALMAN, LANE, MURRAY, WEINER, McGINNIS and PECHAN read in place and presented to the Chair Senate Bill No. 1101, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code" requiring optometrist's or physician's statement of normal or correctable vision with applications for learners' permits and prohibiting issuance on noncompliance.

Which was committed to the Committee on Highways.

### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

#### EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

#### MEMBER OF THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles R. Wilson, Pittsburgh, Allegheny County, for appointment as a member of the Public School Employees' Retirement Board, from November 19, 1957, until his successor is appointed.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul C. Moomaw, Waynesboro, Franklin County, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, from June 21, 1957, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE PENNSYLVANIA FISH COMMISSION

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond M. Williams, Gladstone Street, East Bangor, Northampton County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1960, and until his successor is appointed, vice Charles C. Houser, Allentown, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE FOREST COMMISSION

August 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Krumenacker, R. D., Carrolltown, Cambria County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechar,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Mr. BERGER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

## RECESS

Mr. WEINER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Democratic Caucus and a Republican Caucus, to be held in the respective Caucus Rooms.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 37, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing temporary investment of township funds.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 37

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 37.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 170, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 170

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 170.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 171, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the zoning board of adjustment must give their decision within forty-five days.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?



SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 171

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 171.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 172, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 172

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 172.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,

Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 325, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 325

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 325.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 387, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing that no person holding the office of justice of the peace

shall act as secretary or secretary-treasurer of the board of township supervisors.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 387.

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 387.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1, Printer's No. 1302;  
Senate Bill No. 283, Printer's No. 307;  
Senate Bill No. 543, Printer's No. 579;  
House Bill No. 875, Printer's No. 892;  
House Bill No. 876, Printer's No. 838;  
House Bill No. 941, Printer's No. 900;  
Senate Bill No. 971, Printer's No. 1140;  
Senate Bill No. 972, Printer's No. 1141;  
Senate Bill No. 1034, Printer's No. 1275;  
House Bill No. 1035, Printer's No. 291;  
House Bill No. 1360, Printer's No. 630;  
House Bill No. 1468, Printer's No. 922;  
House Bill No. 1579, Printer's No. 894;  
House Bill No. 2201, Printer's No. 1091; and  
House Bill No. 2237, Printer's No. 1188.

The PRESIDENT. Is there objection? The Chair hears none.

### SECOND READING CALENDAR

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 141, Printer's No. 1303;  
Senate Bill No. 573, Printer's No. 1292; and  
House Bill No. 578, Printer's No. 189.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 660, entitled:

An Act amending the act of June 1 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts

of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business for a limited time.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 1 (Sec. 23), page 7, line 20, by striking out "except that gross receipts from other." Amend Sec. 1 (Sec. 23), page 8, line 1, by striking out all of said line. Amend Sec. 1 (Sec. 23,) page 8, line 2, by striking out "[of] that" and inserting: "of". Amend Sec. 1 (Sec. 23), page 8, line 2, by striking out "[as]" and inserting: "as". Amend Sec. 1 (Sec. 23,) page 8 line 3, by striking out "[outside] inside" and inserting: "outside".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 2, page 8, line 7, by striking out "only during the period". Amend Sec 2, page 8, line 8, by striking out "and ending May 31, 1961." Amend Sec. 2, page 8, line 8, by inserting after "and" where it appears the second time: "thereafter and." Amend Sec. 2, page 8, line 10, by inserting after "1959": "and subsequent years".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KESSLER offered the following amendments:

Amend Title, page 1, last line of Title by striking out "and mu-". Amend Title, page 2, first line of Title, by striking out "nicipalities engaged in gas business".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 661, entitled:

An Act amending the act of July 15 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon



the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as the title insurance or trust companies" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 705, Printer's No. 315;  
House Bill No. 706, Printer's No. 333;  
Senate Bill No. 816, Printer's No. 942;  
Senate Bill No. 901, Printer's No. 1246;  
Senate Bill No. 902, Printer's No. 1247;  
Senate Bill No. 1000, Printer's No. 1293;  
Senate Bill No. 1032, Printer's No. 1216;  
Senate Bill No. 1033, Printer's' No. 1217;  
Senate Bill No. 1037, Printer's' No. 1224;  
Senate Bill No. 1047, Printer's No. 1238;  
House Bill No. 1077, Printer's No. 756; and  
House Bill No. 1129, Printer's No. 1249.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1285, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services providing certain exemptions providing for uncollectible accounts adding provisions concerning refunds increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

### AMENDMENTS OFFERED

Mr. DONOLOW. Mr. President, I desire to offer amendments to this bill, and I wish to say a few words prior to introducing these amendments.

Mr. President, one of the most important parts of this Session which we are faced with today is the means of raising funds for the next biennium in this Commonwealth.

The tax bill we have before us, Mr. President, is a four per cent sales tax. By this time, it is obvious that this tax of four per cent is obnoxious to the Democrats, on this side, and I assume, by the way the Majority Party of the Senate is acting, it is obnoxious to them. It is obnoxious because if they wanted this tax, my friends on the other side certainly have the votes to pass it. If they are against it, they certainly control the votes in order to defeat it.

All during the Session, my learned colleagues on the other side of the aisle have used their votes to pass legislation in which they were interested and to defeat that legislation which they opposed. So, as we arrive at the moment of passing a tax bill, we find that we Democrats are being charged with the responsibility of providing twenty-two votes. We are told by the Republican leadership that we must supply the twenty-two votes and they will only give us four votes. Therefore, Mr. President, the only conclusion that thinking people can come to is that there is something wrong with this bill. I agree that there is something wrong with it. I feel that passing a four per cent sales tax, one of the highest percentages in the Country, certainly is not carrying out our obligation to the people of Pennsylvania.

Furthermore, Mr. President, to say to the people of Pennsylvania that those who are least able to pay, the men with the big families, those who earn small earnings and salaries, must carry the burden of this tax and then have a distinction for industry is certainly unfair.

As we sit here and look through the pages of this tax bill and see the people whom it affects, we cannot help but feel that those who are living on Social Security are affected. The man who finds himself, through no fault of his own, living on Workmen's Compensation because of injury is affected by it. The man living on Unemployment Compensation, the man and woman who are living on a pension for the blind, or on Public Assistance are all brought within the web of this tax. Regardless of earnings, regardless of their amount of savings and regardless of social position, this tax affects everyone.

Mr. President, certainly this is not a good tax philosophy. Some of us feel that it is not the type of philosophy which we would like to agree to. However, if the tax position of this Body is to be a sales tax and if that is the only type of tax that will be acceptable, let us make it a fair tax. Let us make it a tax where everyone contributes. Let us make it a tax where the man who works with a pick and shovel in the mines, or the executive or the industries, which are making the greatest profits in the history of this Country, will share equally and contribute equally. I think the people of Pennsylvania will welcome this.

I do not think people care about paying taxes, if everyone carries his burden. Those of us who get down to the people and meet the people feel that that is the universal feeling, "We do not mind paying, but let everybody contribute." this money which we will take from taxes, no matter from what source it comes, will do good things for this Commonwealth. It will promote education, mental health, together with all the various other appropriations which we shall pass later in the Session.

Mr. President, along with some of my colleagues, I



have suggested in these amendments that possibly we should amend House Bill No. 1285. We suggest that we keep the sales tax feature and keep the other features that it has, but reduce the tax from four per cent to two per cent. Then we suggest that we make it an across-the-board tax, thereby taxing everyone, without classification, without exclusion, and with just a few exceptions; one, to exclude take-home food; two, to exclude clothing for the family; and three, to exclude purchases by hospitals, charities and religious institutions. They shall be the only exclusions in this bill, according to the amendments which we are presenting. Everybody else, whether it be the big corporations of this Commonwealth, with their great earnings, or whether it be the little fellow with five or six children, shall equally be made to pay. We shall have no exclusions. Under the present bill, if a man buys a screw driver for his house, he must pay, but if big industry buys a screw driver, that is included in production and is excluded. The bill, under our proposed amendments, will hit everybody. It will reach everyone equally. The burden will be distributed easily and no one will be affected.

Mr. President, I am sure that the man on the street has no objection to getting the sales tax reduced. Industry will pay a two per cent sales tax which will be deducted from its income tax earnings. As I read the returns weekly from the big corporations, two per cent should be very meek, less than possibly one-eighth of one per cent in actual cost to these companies after income tax deductions.

Mr. President, I feel in this Session if we are realistically going to face this picture of taxation and if we are going to go home and face our people, that we should, as I said before, think of the little guy, I can look across the aisle, on the other side, and see many men over there who came up the hard way. I do not think any man on either side of the aisle was born with a golden spoon in his mouth. I think we all realize the hardships. I hope every man, both on the Republican and Democratic side of the Senate, when they vote, will keep in mind the little people.

Therefore, Mr. President, I say to you in all sincerity and in all fairness, if we are to walk out of this Chamber and feel we have done a good job, these are the amendments which we should pass to the sales tax. Then we can go back home and say that we have distributed the burden equally and that everybody is paying for the ride in Pennsylvania.

Mr. President, on behalf of my colleagues, Senator Lane, Senator Camiel, Senator McCreesh, Senator Mullin, Senator Murray and Senator McMenamin, I am offering these amendments.

#### REQUEST THAT AMENDMENTS BE LAID ON THE TABLE

Mr. BERGER. Mr. President, I might suggest to the gentleman and to anyone else who has amendments which they intend to offer, that they present the amendments prior to speaking upon them in order that we may have some time to look them over.

At the present time, Mr. President, I must request that the amendments be laid upon the table until they can be examined and proper disposition made of them, upon the suggested adoption.

The PRESIDENT. It has been moved by the gentleman from Potter, Mr. Berger, that the amendments offered to House Bill No. 1285 be laid on the table, temporarily.

#### POINT OF INFORMATION

Mr. LANE. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman will state it.

Mr. LANE. Mr. President, I do not believe that Senator Berger can move to lay those amendments on the table. We must either accept them or reject them. Is that not true?

The PRESIDENT. My understanding of parliamentary procedure is that they may be laid on the table for further conference.

Mr. LANE. Mr. President, I rise to oppose the motion made by the Majority Leader.

The PRESIDENT. There has not been a second to that motion.

Mr. LANE. All right, I will withdraw my opposition until it is seconded.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDENT. Before the vote is taken, Senator Lane, you have a right to speak on the motion.

Mr. BERGER. Mr. President, my request to lay the amendments on the table, I did not put in the form of a motion. I merely wanted to examine the amendments in order to know just what they might entail. I realize the gentleman made an explanation of them, but I find in here, for instance, certain features relating to trade-ins, which I would have to read very carefully before I could agree to them.

Mr. President, I want to remind the gentleman, in connection with these amendments, and the sponsors of the amendments, that the bill which we have before us, House Bill No. 1285, is the only tax bill which the House of Representatives has been able to pass. If these amendments were adopted, it is highly debatable whether there could ever be concurrence in the House on such an alteration of this bill.

We also consider the rate of four per cent very high and oppressive. However, Mr. President, I reiterate, it is the only tax bill which the House, which must originate all tax bills, has been able to send to us.

Therefore, Mr. President, I suggest, in order that the Administration, which is represented by the gentlemen on the other side, may begin to receive the revenues which it says it sorely needs under this tax bill, that we proceed to consider the tax bill as passed by the House, rather than in a very highly altered and amended form which might not receive attention and passage in the House for a long period of time.

Accordingly, Mr. President, if the gentleman is offering amendments, I request that they be read, and I will ask my colleagues to act upon them after they have heard the amendments.

The PRESIDENT. The Clerk will read the amendments. The amendments were read by the Clerk as follows:

Amend Sec. 2, page 3, line 14, by striking out "SUB-CLAUSE (L)" and inserting: "subclauses (1) and (2)"

Amend Sec. 2 (Sec. 2), page 5, line 2, by striking out "for any purpose" and inserting: "other than for resale"

Amend Sec. 2 (Sec. 2), page 5, lines 5 to 8, by striking out "for any purpose except purchases from a 'manufac-



turer of malt" in line 5, all of lines 6 and 7, and "the meaning of the "liquor code" the" in line 8, and inserting: "other than for resale. The"

Amend Sec. 2 (Sec. 2), page 5, line 9, by striking out "not."

Amend Sec. 2 (Sec. 2), page 5, line 12, by striking out "but" and inserting: "and"

Amend Sec. 2 (Sec. 2), page 6, line 4, by striking out "(L)" and inserting: "(1)"

Amend Sec. 2 (Sec. 2), page 7, by inserting between lines 11 and 12:

"[(2) There shall be deducted from the purchase price the value of any personal property actually taken in trade or exchange within this Commonwealth in lieu of the whole or any part of the purchase price. For the purpose of this subsection (f), the amount allowed by reason of personal property actually taken in trade or exchange shall be considered the value of such property.]"

Amend Sec. 2 (Sec. 2), page 10, lines 6 to 17, by striking out "notwithstanding the meaning ascribed to the term "tangible par-" in line 6, and all of the lines 7 to 17.

Amend Sec. 2 (Sec. 2), page 13, line 10, by striking out "for any purpose" and inserting: "other than for resale"

Amend Sec. 2 (Sec. 2), page 13, lines 13 to 16, by striking out all of lines 13 to 15 and "the "Liquor Code" the" in line 16, and inserting: "other than for resale. The"

Amend Sec. 2 (Sec. 2), page 13, line 16, by striking out "not."

Amend Sec. 2 (Sec. 2), page 13, line 20, by striking out "but" and inserting: "and"

On the question,

Will the Senate agree to the amendments

Mr. BERGER. Mr. President, for the reasons that I have stated, I request my colleagues on both sides of the aisle to vote "no" on these amendments.

Mr. LANE. Mr. President, is he discussing just the one section at this particular time, which he requests the Membership to vote "no" on?

The PRESIDENT. I have only laid before the Senate the amendments to Section 2.

Mr. LANE. Thank you.

And the question recurring,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, we are talking just about Section 2 of the amendments, and not the entire set of amendments. Is that correct?

The PRESIDENT. That is correct.

Mr. LANE. Thank you, sir.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section

It was agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. DONOLOW, LANE, CAMIEL, McCREESH, MULLIN, MURRAY and McMENAMIN offered the following amendments:

Amend Sec. 3 (Sec. 2), page 14, line 15, by inserting a parenthesis before and after "J.1."

Amend Sec. 3 (Sec. 2), page 14, line 17, by inserting a parenthesis before and after "J.2."

On the question.

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section

It was agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. DONOLOW, LANE, CAMIEL, McCREESH, MULLIN, MURRAY and McMENAMIN offered the following amendments:

Amend Sec. 4, Page 15, line 2, by striking out "Paragraph (17) of."

Amend Sec. 4, page 15, line 3, by inserting after "amended:" "April 15, 1959 (P. L. 20) and"

Amend Sec. 4, page 15, line 3, by striking out "amended to read" and inserting: "repealed"

Amend Sec. 4, page 15, by inserting between lines 3 and 4:

"Section 5. Section 2 of the act, amended April 15, 1959 (P. L. 20), and June 16, 1959 (Act No. 98), is amended by adding after clause (k) a new clause to read:" Amend Sec. 4, page 15, lines 6 to 20, page 16, lines 1 to 18, by striking out all of said lines and inserting: "(1) 'Tangible Personal Property,' 'Corporal personal property of any nature.'"

On the question,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, it seems that the Majority Party is taking the position that these amendments are inconsequential. I feel, at this time, that I should make a few remarks in regard to our position on these amendments and about just what we plan to do.

Mr. President, I think quite a number of the old heads, on both sides of the aisle, have noticed that during this Session, I have had very little to say. I have sat here, listening to this hot air going back and forth across this Senate for a matter of several months. During that period of time, it seems to me that we, of the Democratic Party, are actually dancing to the tune of a Republican fiddle. It seems, too, Mr. President, that the Republican Party has absolute control over its Membership and that the distinguished President pro tempore of the Senate is really the Pied Piper. He is the man who is the boss. I do not mind him bossing the Republican Members, but I do feel that he should not try to control us on the Democratic side. This was indicative in a statement which was released to the newspapers not long ago, whereby quite emphatically it was said by the leadership on the Republican side that they would supply four votes for their Republican sales tax. In turn, we on the Democratic side would supply twenty-two votes for a bill which is Republican.

I realize, Mr. President, that we, in the minority, have a difficult time. However, it seems to me that Senator Berger beats the drums; Senator Pechan waves the flag; Senator Taylor calls the shots and everybody jumps. I observed, too, that last week, the Republicans in the House and in the Senate were so determined to pass the Republican sales tax that there were ten or twelve



extra votes. Yet, again, they say that this is a Democratic tax. I agree with the preceeding speaker that this is, without a doubt, the most obnoxious piece of legislation that ever hit this Senate.

I remember when Senator Mahany was the Republican Floor Leader, when they first passed the original sales tax and, at that time, Senator Mahany said it was a Republican tax and that the Republicans would take all the credit and all the criticism. Now, we are up to five per cent.

I might say, Mr. President, that one of the compelling reasons why we sponsored these amendment was to try to collect the tax. I recall, when we held our budget hearings, that quite a number of the gentlemen on the other side were present. One of the officials of the Sales Tax Division stated, in answer to my interrogation, that about seventy-five to eighty per cent of the tax, as far as sales were concerned, was actually collected. In other words, eighty per cent of the people of Pennsylvania were paying one hundred per cent of the tax. The reasons, as enumerated by this gentleman from the Department of Revenue, were due to the classification. I firmly believe and, as a matter of fact, I think everyone else believes that we will have a very difficult time in ever collecting ninety per cent of this four per cent tax. It is virtually an impossibility. However, with these amendments, proposing a two per cent across-the-board sales tax and exempting the necessities, I believe there is a possibility of collecting ninety per cent of the tax. I am very sincere when I make that statement.

I voted for taxes. I sat here and voted for the three and one-half per cent tax because I felt it was badly needed. You did not hear a word out of me. I voted "aye." I realize that all of us have a responsibility to finance government. However, Mr. President, whenever, we are dictated to by the opposite Party and told what to do, I believe it is time to speak up a bit. I also believe, Mr. President, that if we follow through with the position we have taken during this Session of the Legislature, the Democratic Party in Pennsylvania is going down to disaster and ruin, and, eventually, political oblivion. Even though we are in the minority, we should take a firm position as far as additional taxes are concerned. We should take a reasonable position, too, in regard to the collection of this tax. I do not believe that the people of Pennsylvania want the Democratic Party liquidated. I believe that is the intent of the Republican Party. I believe that when they concocted this sales tax, they did it with the idea of capturing the Governor's Office at the next election. I would also say that the gentlemen on the other side have done a magnificent job along that particular line.

However, I know that you are going to vote against the amendments. I also know about your agreements and what you plan on doing, but I am going to make the effort to let the little people of Pennsylvania know that there are some spokesman in this Senate who speak for the public in general, and I know that around the halls of this Senate there are quite a number of lobbyists who are being protected. That is their business. I have no quarrel with lobbyists. However, Mr. President, we have to divide up this responsibility, as far as revenues and taxes are concerned. I feel it is grossly unfair to the people of Pennsylvania to ask them to pay a four per cent tax on practically everything except the necessities

of life. Those in the lower income groups are suffering as it is. It was mentioned on the floor here about the pensioners. These old coal miners are receiving \$187.50 a month. How in the world are they going to pay this four per cent sales tax? It is a punitive piece of legislation. I am not happy about supporting a two-percent across-the-board sales tax. However, our intent was to divide up the responsibility and let everyone pay his share. In that way, we might be able to help out the widows, the orphans, the pensioners and the aged people who have limited incomes. I think it is only fair that we make this effort. I know that you will probably get six or seven votes here today. However, we have made the effort to let the people of Pennsylvania know that we are liberal Democrats, protecting their interest and their welfare.

Mr. President, I will stand on this floor all day, if necessary, to speak my piece on what I think is right and on what I think is fair. You fellows inaugurated the sales tax. You forced it on us. Now the Republican leaders are saying, "This is a Democratic tax." This is not a Democratic tax. This is a Republican sales tax, inaugurated by Republicans and advocated by Republicans. They were so worried about the House that they made sure the votes were over there in order to pass this bill over here. Now they say, "Produce those twenty-two votes for a four per cent sales tax." I say, Mr. President, this is ridiculous; absolutely ridiculous.

They are laughing about the amendments. I have not studied them too well, but we had experts prepare them. Just the same, we want you to know exactly how we feel. I hope the public understands very clearly that this four per cent tax is the brain child and the illegitimate child of the Republican Party here in Pennsylvania.

Mr. BARR. Mr. President, I may not agree with what my colleague said, but I will defend with my life his right to say it.

I have not looked at the amendments, but I presume that they are patterned pretty much after the California bill. I was talking to a friend of mine, whose figures are pretty accurate, and with these amendments, this would bring in approximately \$490,000,000. The bill, as it is now on our desks, would bring in for this biennium \$750,000,000, counting when it was at three and one-half per cent, but being collected as a four per cent tax for nearly everyone and the Commonwealth only getting three and one-half per cent. If we pass this bill, I find out from the front office, as some of you call it, that we are going to be \$90,000,000 short. If we adopt these amendments, we are going to be \$350,000,000 short. That just does not add up because I must think of our institutions of higher learning; I must think of our schools and hospitals.

Once you take out food, clothing and things such as that, the tax drops to little or nothing. I have been very fair in my voting here on taxes through the twenty years that I have been here in the Senate. There was only one time in my life when I said I would never vote for a tax and that is that I will never vote for a tax on take-home food.

And the question recurring,

Will the Senate agree to the amendments?

Mr. DONOLOW. Mr. President, I ask for a roll call vote.



The PRESIDENT. The Clerk will call the roll.

The yeas and nays were required by Mr. DONOLOW and were as follows, viz:

## YEAS—10

Camiel,  
Donolow,  
Hays,

Kalman,  
Lane,  
McCreesh,

McMenamin,  
Mullin,

Murray,  
Seyler,

## NAYS—36

Barr,  
Berger,  
Blass,  
Chapman,  
Confair,  
Ehrgood,  
Elllott,  
Fleming,  
Harney,

Keller,  
Kessler,  
Koprivier, Jr.  
Kromer,  
Madigan,  
Mahady,  
Mallery,  
McGinnis,  
Pechan,

Propert,  
Ripp,  
Ruth,  
Sarraf,  
Scott,  
Shafer,  
Silvert,  
Stevenson,  
Stiefel,

Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The fifth and sixth sections were read and agreed to.

Mr. BERGER. Mr. President, may I request that the Clerk read the amendments to all of the sections and the vote be recorded on each section as announced?

The PRESIDENT. Are there any objections?

Mr. McMENAMIN. Mr. President, I would like to second that motion.

The PRESIDENT. Senator McMEnamin, it was a request and not a motion, but if there is no objection, the Clerk will read all of the amendments and the vote will be taken on all of the amendments at the next taking of the vote.

Messrs. DONOLOW, LANE, CAMIEL, MCCREESH, MULLIN, MURRAY and McMENAMIN offered the following amendments:

Amend Sec. 7, page 16, line 19, by striking out "7" and inserting: "6"; Amend Sec. 7 (Sec. 2), page 18, lines 1 to 13, by striking out "notwithstanding" in line 1, all of lines 2 to 12, and "diaper service and" in line 13; Amend Sec. 7 (Sec. 2), page 18, line 13, by striking out "]" provided further"; Amend Sec. 7 (Sec. 2), page 20, line 14, by inserting a bracket after "defined"; Amend Sec. 7 (Sec. 2), page 21, line 3, by striking out "for any purpose" and inserting: "other than for resale"; Amend Sec. 7 (Sec. 2), page 21, lines 5 to 9, by striking out "for" in line 5, all of the lines 6 to 8 and "the meaning of the "liquor code" the" in line 9, and inserting: "other than for resale. The"; Amend Sec. 7 (Sec. 2), page 21, line 9, by striking out "not"; Amend Sec. 7 (Sec. 2), page 21, line 13, by striking out "but" and inserting: "and"; Amend Sec. 8, page 22, line 4, by striking out "8" and inserting: "7"; Amend Sec. 8 (Sec. 201), page 22, line 9, by striking out "four" and inserting: "two"; Amend Sec. 8 (Sec. 201), page 22, line 15, by striking out "four" and inserting: "two"; Amend Sec. 8 (Sec. 201), page 23, line 2, by striking out "four" and inserting: "two"; Amend Sec. 8 (Sec. 201), page 23, line 13, by striking out "four" and inserting: "two"; Amend Sec. 9, page 23, line 17, by striking out "9" and inserting: "8"; Amend Sec. 9 (Sec. 202), page 24, lines 4 to 5, by striking out "twenty-six cents (26¢)" and inserting: "fifty-one cents (51¢)"; Amend Sec. 9 (Sec. 202), page 24, line 7, by striking out

"twenty-six cents (26¢)" and inserting: "fifty-one cents (51¢)"; Amend Sec. 9 (Sec. 202), page 24, line 8, by striking out "fifty-one cents (51¢)" and inserting: "one dollar line 10, by inserting a bracket before "(d)"; Amend Sec. 9 and one cent (\$1.01)"; Amend Sec. 9 (Sec. 202), page 24, Sec. 202), page 24, line 10, by striking out the brackets before and after "sixty cents (60¢)" Amend Sec. 9 (Sec. 202), page 24, line 11, by striking out "fifty-one cents (51¢)"; Amend Sec. 9 (Sec. 202), page 24, line 11, by striking out the brackets before and after "ninety cents (90¢)"; Amend Sec. 9 (Sec. 202), page 24, line 12, by striking out "seventy-six cents (76¢)"; Amend Sec. 9 (Sec. 202), page 24, line 14, by striking out the brackets before and after "ninety-cents (90¢)"; Amend Sec. 9 (Sec. 202), page 24, line 15, by striking out "seventy-six cents (76¢)"; Amend Sec. 9 (Sec. 202), page 24, line 15 and 16, by striking out the brackets before and after "one dollar and twenty cents (\$1.20)"; Amend Sec. 9 (Sec. 202), page 24, line 16, by striking out "one dollar and one cents (\$1.01)"; Amend (Sec. 202), page 24, line 19, by striking out the bracket before "(F)" in line 19; Amend Sec. 9 (Sec. 202), page 25, line 19, by striking out "four" and inserting: "two";

Amend Sec. 10, page 26, line 4, by striking out "10" and inserting: "9"; Amend Sec. 10, page 26, lines 5 and 6, by striking out "amended by adding after clause" in line 5 and all of line 6 and inserting: "repealed"; Amend Sec. 10 (Sec. 203), page 26, lines 7 to 19, page 27, lines 1 to 20, page 28, lines 1 to 19, page 29, lines 1 to 20, page 30, lines 1 to 19, page 31, lines 1 to 20, page 32 lines 1 to 20, page 33, lines 1 to 19, page 34, lines 1 to 16, by striking out all of said lines and inserting: "Section 10. The act is amended by adding after section 202, a new section to read: "Section 203. Exclusions from Tax. —The tax imposed by section 201 shall not be imposed upon: "(1) Any services rendered by any hospital or by any religious or charitable institution. "(2) Any purchase at retail or use of tangible personal property by any hospital or by any religious or charitable institution. "(3) Any sale at retail of food for human consumption within the home. "(4) Any sale of clothing and shoes worn primarily to cover the human body against nakedness or cold. "(5) Any sale at retail of food or beverages (except when purchased at or from a school, church or hospital in the ordinary course of activities of such organization) when the purchase price of the total transaction is less than fifty cents (50¢), when purchased from (i) persons engaged in the business of catering, or (ii) from persons engaged in the business of operating restaurants, cafes, lunch counters, private and social clubs, taverns, dining cars, hotels and other eating places." Amend Sec. 15, page 34, line 17, by striking out "15" and inserting: "11"; Amend Sec. 15 (Sec. 204), page 35, line 9, by striking out "four per cent (4%)" and inserting "two per cent (2%)"; Amend Sec. 16, page 36, line 11, by striking out "16" and inserting: "12"; Amend Sec. 17, page 34, line 1, by striking out "17" and inserting: "13"; Amend Sec. 18, page 39, line 6, by striking out "18" and inserting: "14"; Amend Title, page 2, third from last line of Title, by striking out "increasing" and inserting: "changing."

On the question,

Will the Senate agree to the amendments?

Mr. McMENAMIN. Mr. President and Members of the Senate, I believe that the first duty of everybody elected to public office is to govern. It is obvious that we need



additional money to carry on the functions of the Commonwealth in the next biennium. I think it has also become obvious, during the last six years in Harrisburg, that about the only tax which can raise major revenues that can pass, where Republican votes are needed, is a sales tax.

We are presented here today with a four per cent sales tax to vote upon. I, for one, offered to sign these amendments in the hope that they would be adopted. We understand from the Department of Revenue that these amendments, as drawn, will bring in \$700,000,000 and they are an acceptable substitute for the bill as it now stands. in so far as raising money is concerned.

However, primarily, I believe what is most important is that too much of the philosophy of the Republican Party in Harrisburg in recent years has been to shift the tax burden onto the people and to exempt industry. Some years ago, I understand a great Pennsylvanian said that you cannot put all the taxes on the bleachers and none on the grandstands. What we are doing, with this four per cent tax bill which is on the Calendar, is just that. Everybody is exempted from this tax bill, it seems to me, except the people. Almost every conceivable industry and business are exempt, and the people just cannot forever bear the total burden of taxation in Pennsylvania.

These amendments would make it possible to cut the sales tax in half, by reducing it from four per cent to two per cent, and letting half of it be borne by the people and half by industry.

Mr. MAHADY. Mr. President, I wish to explain my "no" vote both on the tax and the amendments to the four per cent sales tax. It is based upon the idea that a man, raising a family, should not have to pay a sales tax on food or clothing. That is, indeed, an aspect of consideration for the poor and those who desire to raise families. That should be noted.

Mr. DONOLOW. Mr. President, to correct the last speaker, these amendments which my colleagues and I have introduced do not include take-home food nor clothing. Those are exempt. The amendments do not include purchases by hospitals, charitable institutions or religious institutions.

And the question recurring,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, I request a roll call vote.

The PRESIDENT. Would there be any objection to using the roll call vote on the last group of amendments?

The Chair hears no objection and—

Mr. LANE. Mr. President, just to clear the air,—and it will not take too much time—I believe the roll should be called again.

The PRESIDENT. Then you are objecting, and the Clerk will call the roll.

Mr. LANE. Yes, sir.

The yeas and nays were required by Mr. LANE and were as follows, viz:

#### YEAS—11

Camel,  
Donolow,  
Hays,

Kalman,  
Lane,  
Mahady,

McCreesh,  
McMenamin,  
Mullin,

Murray,  
Seyler,

#### NAYS—35

Barr,  
Berger,  
Blass,  
Chapman,  
Confair,  
Ehrgood,  
Elliott,  
Fleming,  
Harney,

Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Madigan,  
Mallery,  
McGinnis,  
Pechan,  
Proper,

Ripp,  
Ruth,  
Sarraf,  
Scott,  
Shafer,  
Silver,  
Stevenson,  
Stiefel,  
Taylor,

Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

So the question was determined in the negative.

The seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, in the interest of consistency, I ask unanimous consent that House Bill No. 1448, Printer's No. 575, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 142, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 184, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 290, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 354, entitled:

An Act amending the "Municipal Borrowing Law" approved June 25, (P. L. 159) authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 598, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" excluding certain contracts or purchases for operation of public works from requirement of advertising and bidding.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid" by making this act apply to turtles frogs and tadpoles changing creel limits and revising methods of taking.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 702, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," removing the classification of school supplies for the purpose of purchasing without bids and increasing the amount of supplies that can be purchased.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 790, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the marking and counting of ballots.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing

for the payments by the Commonwealth on account of courses for handicapped children.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further regulating the adoption of zoning codes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 847, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 869, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 982, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050) requiring tax collectors to include additional information when making statements for taxes collected.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 998, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 defining distressed school districts; . . . defining the powers and duties of the Superintendent of Public Instruction.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1015, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses, and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering cities of the third class, boroughs, incorporated towns and town ships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the act to municipalities authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1038, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987) entitled as amended "Sanitary Water Law" permitting certain municipalities to discharge sewage in certain water.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1472, entitled:

An Act authorizing the Department of Property and Supplies, with approval of the Governor, to grant an easement over certain land situate in the City of Philadelphia, County of Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1544, entitled:

An Act amending the act of April 23, 1909 (P. L. 141), entitled "An act providing for the use of borough and township lockups and city or county prisons, for the detention of prisoners . . .," increasing daily compensation of boroughs, cities and townships from the county treasury for each prisoner incarcerated.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1620, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing certain confidential information regarding tax or bonus to be divulged to political subdivisions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1645, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further specifying the time for holding meetings of the Game Commission.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1731, entitled:

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the city of West Chester.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses therein; . . .," changing the times for filing returns.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1885, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), deleting the limitation on indebtedness for the purpose of erecting a townhouse.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1953, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing that the auditors' report shall be filed by the auditors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1999, entitled:



An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further providing for the trapping of beaver.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2009, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further providing for the regulation of parking lots.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2121, entitled:

An Act amending the act of March 1, 1867 (P. L. 306), entitled "An act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs, in the county of Cameron, and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, I have here a resolution which I am about to present to the Chair. I am going to ask for unanimous consent to present to the Chair a privileged discharge resolution.

The PRESIDENT. Is there any objection? The Chair hears no objection, Senator Lane. You may proceed.

Mr. LANE. Mr. President, on behalf of Senator McMennamin, Senator Weiner, Senator Murray and myself, I present to the Chair a discharge resolution.

The PRESIDENT. At this point, Senator Lane, the Chair recognizes the gentleman from Potter, Mr. Berger.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. BERGER. Mr. President, will the gentleman state the privilege of the resolution?

Mr. LANE. This resolution will discharge the Finance Committee from further consideration of the personal property tax.

Mr. BURGER. The resolution may be read, Mr. President.

### TO DISCHARGE COMMITTEE ON FINANCE FROM FURTHER CONSIDERATION OF HOUSE BILL No. 656

Messrs. LANE, McMENNAMIN, WEINER and MURRAY offered the following resolution, which was read by the Clerk:

In the Senate, August 18, 1959.

Resolved, That House Bill No. 656, Printer's No. 413, entitled:

"An act reenacting and amending the act of June 22, 1935 (P. L. 414), entitled as amended 'An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the

proceeds thereof imposing duties on executors administrators registers of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnership conferring powers and imposing duties on certain State officers and departments imposing penalties and making appropriation' by reenacting and clarifying the State personal property tax increasing the rate thereof and of the corporate loans tax granting certain additional exemptions and credits and providing for the valuation of stock in certain investment companies."

Having been referred to the Committee on Finance on June 30, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

Mr. BERGER. Mr. President, I understand that the resolution just presented for discharge of the Finance Committee from further consideration of the personal property tax bill is not a privileged resolution, under the rules of this Senate. I, therefore, request that it be referred to committee.

Mr. LANE. Mr. President, I requested unanimous consent and there was no objection. Now I guess Senator Berger has changed his mind. Let us have a definite ruling here today. It seems to me that the Republican Leadership is playing "footsie" over there. I wanted to test their sincerity. Here I am, sponsoring a resolution and after it is accepted, and after I received unanimous consent, the Majority Floor Leader objects.

Mr. WEINER. Mr. President, I believe that once a Member asks for unanimous consent and it is granted, without any objection, I believe that whatever statement he makes thereafter is to be considered.

I would just like to make one other observation for the Members of the Senate, and that is that this measure would raise \$55,000,000. I do not think it is something which we can discuss very lightly and discard in the same vein. I think what Senator Lane is trying to do, along with the other persons involved on this side, is to bring this to the committee's attention. If they will not consider this or properly handle it, he is asking that they no longer consider it and it may be that some other committee or the Senate will act as a whole to consider this problem while we are taking up the tax picture.

The PRESIDENT. The Chair would suggest at this time that the resolution lay on the table which, I believe, would be the proper procedure.

Mr. BERGER. Mr. President, the offer made by the gentleman was to present a privileged discharge resolution.

The PRESIDENT. I agree with you, sir.

There is no doubt about the fact that the gentleman asked permission to introduce a resolution. What happens to the resolution after it has been admitted, is something else. It would be in order for Members of the Senate to speak on it. I, personally, feel that it should lay on the table at this time.

Mr. LANE. Mr. President, I would have to look up the rule on that. I felt that since this is a privileged resolution and we complied with all regulations, it should be considered. However, what we wanted to do was to smoke out the Republican Majority in regard to that \$55,000,000, which is lying over there in the Finance Committee office and which we know will never see the light of day.

This legislation was passed by the House, too, you



know. It is now lying there in committee and I am wondering whether the Republican Majority is very sympathetic to the problems of government, especially the financing of government, when they object to this resolution. I believe it is common knowledge—it was in the newspapers—that this legislation was dead as a dodo, and I believe it is. There is no question about the fact that it is as dead as a dodo. If you fellows do not plan on moving it, I would like for the public to know that there is \$55,000,000 more going down the drain.

Mr. WEINER. Mr. President, I believe the gentleman asked for unanimous consent to present a resolution. I believe that is correct.

The PRESIDENT. That is correct. He was given unanimous consent to present the resolution.

Mr. WEINER. That is also correct, Mr. President.

I believe that what is before us is this resolution. If there is a motion to table the resolution, that is a different matter. I did not hear such a motion, however, I believe that this matter is before us. I, therefore, move that this resolution be taken up by this Body at this time, unless there is another motion which might supersede it. I do not know.

The PRESIDENT. That phase of it is perfectly proper. The only question I have on it is whether or not it is a privileged resolution. We do have a decision on that in exactly the same, identical case where on May 7, 1951—if I may read you the case—Mr. Dent raised the question as to whether or not a discharge resolution was a privileged resolution.

"The Chair, Lieutenant-Governor Lloyd H. Wood, ruled that it is not and quoted from Section 406 of Jefferson's Manual the following:

"The motion to discharge a committee from the consideration of an ordinary legislative proposition is not privileged."

Therefore, it is a resolution which has been offered at this point.

Mr. WEINER. Mr. President, there are two fundamental problems in the decision which you gave. If I might respectfully suggest to you, sir, we are not operating any longer under Jefferson's Rules of Order. They were not adopted in the early part of this Session. Secondly, the case which you cited here is distinguished from the problem that is before us now. That had been a discharge resolution already presented, and the Chair was being asked whether it was a privileged resolution.

In this case, the distinguishing feature is that the gentleman, Senator Lane, asked for unanimous consent to present a privileged resolution and it was granted. That resolution is now before this Body. Nobody is questioning whether it is privileged or not privileged. Once unanimous consent has been granted, I believe it is the duty of this Body to act on it. If somebody is questioning whether it is a privileged resolution or not, I think that right has been lost by the fact that unanimous consent was granted.

The PRESIDENT. If we can go back to just one point, and that is whether or not this resolution is offered as a privileged resolution.

Mr. WEINER. Mr. President, what is the order of business which we are under at this moment?

The PRESIDENT. Petitions and Remonstrances.

Mr. WEINER. If this gentleman said, at this time, that he would like to offer a resolution and asks for unanimous

consent to do so, regardless of what business we are on, and that request for unanimous consent is granted, how can we now withdraw that unanimous consent? In other words, you are now proceeding, if there is a question before us, back to the point of the unanimous consent. If there was no objection at the time it was presented, there should be no objection at this point. We are beyond that point at this moment.

The PRESIDENT. I would agree with you.

Mr. BARR. Mr. President, may I ask the Chair a question?

The PRESIDENT. You may.

Mr. BARR. Is not a discharge resolution in order at any time?

The PRESIDENT. I do not believe it is at any time, sir.

Mr. BARR. Can we move now for the adoption of this resolution?

The PRESIDENT. I would say that that would be perfectly in order.

Mr. BARR. I so move you, Mr. President.

Mr. BERGER. Mr. President, I wish to point out that the gentleman asked for unanimous consent to offer a privileged resolution. The resolution was read and it turned out not to be a privileged resolution.

The PRESIDENT. He did not mention the word "privileged" in his request to present a resolution.

Mr. BERGER. I believe he did, Mr. President.

The PRESIDENT. Is that correct, Senator Lane? I think you would know better than anyone else.

Mr. LANE. At that time, I asked for unanimous consent to present a privileged resolution. I received unanimous consent to present it.

The PRESIDENT. You did receive the right. Now the question lies in the fact as to whether or not this is a privileged resolution. Will you stand on that point?

Mr. EHRGOOD. Mr. President—

The PRESIDENT. Could I confer with the Majority and Minority Leaders, please?

Mr. EHRGOOD. Mr. President—

The PRESIDENT. I would like to confer with the Majority and Minority Leaders at this point.

(The Senate was at ease.)

#### DECISION BY THE CHAIR

The PRESIDENT. The Chair has reached a decision. I am referring the resolution to the Committee on Rules. Since there was no request to start with for its immediate adoption, therefore, it should go to the Committee on Rules.

Mr. EHRGOOD. Mr. President—

Mr. BARR. Mr. President, I had a motion on the floor for the adoption of this resolution.

The PRESIDENT. I did not hear the motion, Senator Barr. Are you making it now?

Mr. BARR. Mr. President, I made the motion before you conferred with the leaders.

The PRESIDENT. Senator Barr, this resolution did not carry with it a request for immediate adoption. Therefore, it normally should be referred to the appropriate committee.

Mr. BARR. Mr. President, I hate to disagree with my friend, the Lieutenant-Governor, but I had a motion on the floor and I think, if you look up the rules, a discharge resolution is in order at any time.



The PRESIDENT. I did not hear you make such a motion.

Mr. BARR. Mr. President, just before you—

The PRESIDENT. It was not seconded.

Mr. BARR. Certainly, it was.

Mr. EHRGOOD. Mr. President—

Mr. RIPP. I second the motion, Mr. President.

The PRESIDENT. I know it is being seconded now, but it was not at the moment it was made.

Mr. BARR. Mr. President, may we have the record read back?

Mr. EHRGOOD. Mr. President—

The PRESIDENT. May I have the record read back, please? I am a great believer in the record. Let us hear it, please.

Mr. EHRGOOD. Mr. President—

The PRESIDENT. I would suggest that the Reporter read it into a microphone, please.

The Senate will be at ease for a moment.

(The Senate was at ease.)

(The Reporter complied.)

Mr. EHRGOOD. Mr. President, when are you going to recognize me?

The PRESIDENT. I will recognize you next, Senator Ehrgood. Would you wait long enough for me to amend my ruling?

Mr. EHRGOOD. Yes, Mr. President.

#### DECISION BY THE CHAIR AMENDED

The PRESIDENT. Since I am going to amend my ruling, the gentleman may as well hear it.

I have referred this resolution to the Rules Committee. I now add one addition to that reference. I refer this resolution to the Rules Committee to determine whether or not it is a privileged resolution, and to report back to the Body on that question.

Mr. EHRGOOD. Mr. President—

Mr. WEINER. Mr. President—

The PRESIDENT. This is a choice. However, I have promised to recognize Senator Ehrgood. If it is on this question, I will stick to my statement that I will recognize Senator Ehrgood.

Mr. EHRGOOD. Mr. President, I move that the Senate do now adjourn until Wednesday, August 19, 1959, at 10:00 a. m., Eastern Standard Time.

The PRESIDENT. A motion to adjourn is always in order.

Mr. WEINER. Mr. President, if this microphone had

been on, you would have heard that I asked for a point of order, which supercedes anything that is taking place on the floor at the moment. I asked for a point of order before this gentleman got up. I think that I, no doubt, would have been recognized, but these microphones are off some of the time and—

Mr. EHRGOOD. Mr. President, I was at this microphone for a half an hour.

The PRESIDENT. I am sorry, gentlemen. A point of order can always be raised at any time. Therefore, the Chair recognizes Senator Weiner.

Mr. WEINER. Mr. President, I do not wish to debate the gentleman's motion, because a motion to adjourn is not debatable. However, I do feel that before we close this business, we should complete it. If the Chair please, I would like to take an exception to his ruling on the resolution going to the Rules Committee. Now, if you would like to accept Senator Ehrgood's motion, I believe that would be in order.

The PRESIDENT. The exception is granted, for the benefit of the record. However, Senator Ehrgood, I did not hear the adjournment motion as to the time and the day.

#### ADJOURNMENT

Mr. EHRGOOD. Mr. President, I move that the Senate do now adjourn until Wednesday, August 19, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

Mr. McMENAMIN. Mr. President, may we have an exception noted on the record to the Chair's ruling?

The PRESIDENT. I would call your attention to the fact that this Legislature passed a law which stated that an exception was automatically recorded on the record of any judicial proceeding. I think it would equally apply to a legislative procedure. Therefore, I would expect that you have your exception duly noted.

Mr. McMENAMIN. Mr. President, about a week ago, we passed another bill in the Senate, amending that bill because some people thought it was not broad enough to include all subjects. I am not sure what has happened to it over in the House.

The PRESIDENT. Is there a second to the motion to adjourn?

Mr. TAYLOR. I second the motion, Mr. President.

A voice vote having been taken, the question was determined in the affirmative and the motion was agreed to.

The Senate adjourned at 6:12 o'clock, p.m., Eastern Standard Time, until Wednesday, August 19, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, August 18, 1959

The House met at 11:00 a. m. EST.

Mr. HELM in the Chair.

The SPEAKER pro tempore. The Speaker is attending various official meetings and has requested the present occupant of the Chair to preside.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father, Thou Whose love and care and concern for the well-being of mankind goes far beyond our highest expectation or furthest anticipation, we come before Thee this day with the recognition of Thy fullness within our lives; grant to us we humbly pray the ability to utilize that fullness not only for our own advancement, but open our hearts to opportunities which are ours to be of assistance in the lives of our fellowmen; enable us to see ourselves as stewards of Thine, workmen who rightly divide the Word and Truth; and challenge us to use our talents for the enrichment of the people of this great Commonwealth; for, we humbly pray in the name of the Lord Jesus Christ. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, August 17, 1959 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Messrs. COMER, DOUGHERTY, STEWART  
and KEE. HOUSE BILL No. 2327.

An Act amending the act of May 21, 1943 (P. L. 328), entitled "An act authorizing the Secretary of Highways, \* \* \* to lay out, \* \* \* and maintain flight strips and roads to the sites of war activities \* \* \* and making an appropriation," further regulating payment of property damages by the Department of Highways.

Referred to the Committee on Appropriations.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 243.

An Act amending the act of December 15, 1955 (P. L. 865) entitled "An act requiring rents and royalties from oil and gas leases of Commonwealth land to be placed in a special fund to be used for conservation recreation dams and flood control \* \* \*" earmarking a certain portion of the fund for the establishment and construction of a State park and dam in Indiana County.

Referred to the Committee on Rules.

SENATE BILL No. 915.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" regulating the expenditure of funds appropriated to the Department of Military Affairs for assistance to needy veterans or their widows infant children or dependents.

Referred to the Committee on Military Affairs.

## RESOLUTION INTRODUCED AND REFERRED

By Mrs. PASHLEY, Messrs. McCANN, MULDOWNEY  
and FRACELLA. RESOLUTION No. 103.

In the House of Representatives, August 17, 1959.

No one knows exactly how many of the mentally ill could be discharged from our hospitals unless there is an opportunity to find out. The Philadelphia State Hospital (Byberry) carried out a small project in 1947 to find an answer to this most important question by taking 20 of its most disturbed patients from the worst building and gave them enough attendants to meet their needs, to teach them to take care of themselves, to take them for a walk, to talk to them, to help them back to reality.

At the end of six months five of the 20 were out of the hospital. Another five were able to take care of themselves and were allowed the freedom of the hospital. Over the next year several more were discharged. This result is highly encouraging. In fact many authorities estimate that with good treatment and care, almost 85% of all patients in the average mental hospital can be released in a year or two.

Why cannot the successful pilot project carried out by the Philadelphia State Hospital (Byberry) be applied to all mental patients? The answer is simple—it can—provided sufficient funds are available.

The American Psychiatric Association has set standards for the number of doctors, nurses and attendants needed to give patients good treatment. To meet these standards the Philadelphia State Hospital (Byberry), which currently operates on \$3.10 a day per patient, would need to spend about \$6.00 per day per patient. Pending legislation will raise the amount to \$3.45 per patient at Byberry and all of the other 16 State hospitals in Pennsylvania will receive \$4.00 or more.

Byberry cannot do more for less just because of its size. Each of its 6,000 patients needs as much care as any other patient in a smaller hospital. Byberry, the largest State hospital, has long past the point where large purchases result in reduced prices.

Insufficient funds mean improper treatment for our mentally ill with a proportionate decrease in the number of persons who can return to normal living; therefore be it

Resolved, That the Joint State Government Commission make a study of caring for the mentally ill in the Philadelphia State Hospital (Byberry) and investigate and compare the financial aid supplied to the Philadelphia State Hospital (Byberry) with the amount of assistance given other State Hospitals; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations for supplying the Philadelphia State Hospital (Byberry) with ample funds for its proper operation and maintenance, together with drafts of such legislation as may be necessary to carry its recommendations into effect to the next regular session of the General Assembly.

Referred to the Committee on Rules.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1447.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) imposing additional powers and duties on the Department of Health and establishing a fee.

HOUSE BILL No. 1507.

An Act amending "The Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the Depart-



ment of Public Instruction to grant priority of reimbursement eligibility to certain projects and providing that the approved reimbursable costs of such projects shall not be included within the aggregate for projects already undertaken or to be undertaken.

#### HOUSE BILL No. 1561.

An Act authorizing the Department of Property and Supplies \* \* \* to assign transfer and set over to the Pa. Game Commission the use, control and jurisdiction of 158.89106 acres more or less of land situate in Limerick Township Montgomery County.

With the information that the Senate has passed the same without amendment.

#### FOREIGN EXCHANGE STUDENT WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House today Miss Anne Chin from Singapore, a foreign exchange student sponsored by the Bessemer Rotary Club of Lawrence County. Here today as the guest of the gentleman from Lawrence, Mr. Fox.

We welcome you to the Hall of the House and trust you will enjoy your visit with us.

#### REPORTS FROM COMMITTEE

Mrs. ANDERSON from the Committee on Education, reported as committed, House Bill No. 596, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the education and training of pregnant children, imposing duties on certain boards of school directors and providing for payments by the Commonwealth.

Mr. PARLANTE from the Committee on Labor Relations, reported as committed, House Bill No. 767, entitled:

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), excluding the Commonwealth and its political subdivisions from the definition of employer.

Mr. BONNER from the Committee on Labor Relations, reported as committed, House Bill No. 790, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition for employment.

Mr. PARLANTE from the Committee on Labor Relations, reported as committed, House Bill No. 802, entitled:

An Act permitting any person to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Mr. IRVIS from the Committee on Education, reported as committed, House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

Mr. WELSH from the Committee on Law and Order, reported as committed, House Bill No. 1794, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), requiring plastic bags to be marked with a warning label.

Mr. McLAUGHLIN from the Committee on Labor Relations, reported as committed, House Bill No. 2072, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \* requiring employers to furnish personal protective devices free of charge.

Mr. GIBB from the Committee on Law and Order, reported as committed, House Bill No. 2291, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale of starter pistols to minors.

Mr. DENGLER from the Committee on Education, reported as committed, Senate Bill No. 685, entitled:

An Act repealing section 802 of the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" relating to the use of textbooks for a period of not less than five years.

Mr. GOLDSTEIN from the Committee on Education, reported as committed, Senate Bill No. 831, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the determination of tuition charges for pupils of other districts.

Mr. OGILVIE from the Committee on Military Affairs, reported as committed, Senate Bill No. 941, entitled:

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

Mr. WARGO from the Committee on Labor Relations, reported as amended, House Bill No. 2164, entitled:

An Act requiring the Department of Labor and Industry to fill and beautify abandoned quarries under certain conditions; and making an appropriation.

Mrs. MUNLEY from the Committee on Highways, reported as amended, House Bill No. 2239, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled as amended, "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the first class as State Highways; \* \* \* and appropriating money in the Motor License Fund for the purpose of this act, eliminating certain restrictions," changing certain routes and adding certain new routes.

#### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the education and training of pregnant children, imposing duties on certain boards of school directors and providing for payments by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 767, entitled:

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), excluding the



Commonwealth and its political subdivisions from the definition of employer.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 790, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition for employment.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 802, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1794, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), requiring plastic bags to be marked with a warning label.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2072, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \* \* \*" requiring employers to furnish personal protective devices fee of charge.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2291, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale of starter pistols to minors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 685, entitled:

An Act repealing section 802 of the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," relating to the use of textbooks for a period of not less than five years.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 831, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the determination of tuition charges for pupils of other districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 941, entitled:

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, in that granting of permission, I would like to preface my remarks by interrogating the gentleman from Allegheny, Mr. Wilt.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Wilt, permit himself to be interrogated?

Mr. WILT. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if he is not an alderman in and for the county of Allegheny, and how long he has been in that office?

Mr. WILT. I am, Mr. Speaker; approximately nine years.

Mr. AUKER. In your capacity as an alderman have there been brought before you violations of the Motor Vehicle Code by drivers between the ages of 16 and 18 years?

Mr. WILT. There have been many.

Mr. AUKER. What disposition have you had to make under the law pertaining to that class of drivers?

Mr. WILT. Well, I must start at the beginning to explain that question.

In the first place when an officer makes an arrest he has approximately 15 days to file the information in an alderman's or justice of the peace office. After he files that information, you have approximately seven days to mail it out. Of course when he brings the information to the office, all you have is the name and address, the motor number, et cetera; you do not know the age of the person. Therefore you mail out the information, and they have ten days to pay for the violation on the information which is mailed. If they do not pay it, then you in turn make a motor violation warrant out, give it to a peace officer and he performs his duty by going out and apprehending this person. At that time you find out if he is a minor. If he is a minor between the ages of 16 and 18 he cannot be placed under arrest. A justice of the peace or an alder-



man cannot hold a hearing on this particular minor. Therefore you have only one other alternative, and that is to notify the juvenile court about the violation which this minor may have been part of.

Mr. AUKER. What has been your experience in having these offenders between the ages of 16 and 18 years turned over to the juvenile courts?

Mr. WILT. After they have been turned over to the juvenile court from my office, I have had the experience of never hearing one word about them, or anything about the disposition of the case.

Mr. AUKER. From your experience in the treatment of this class of violator under the Motor Vehicle Code, do you feel the action taken by the juvenile court has been a deterrent to this class of driver in the violation of the Motor Vehicle Code?

Mr. WILT. Oh, I definitely do. I would say this to you, these violators who are between the ages of 16 and 18 in many cases are not familiar with the law, and some of them pay directly to the justice of the peace or the alderman, but after you file them with juvenile court, then you never hear of any disposition of them.

Mr. AUKER. Do you feel that this treatment by the juvenile court is acting as a deterrent to this class of motor vehicle violators?

Mr. WILT. I do not want to get myself in trouble with the juvenile court here, Mr. Speaker. I am not one to say how the juvenile court should conduct its business, and therefore I do not want to make a statement here that might place me in an embarrassing position with the juvenile courts of the state of Pennsylvania. I really do not know how they dispose of them; I want to be truthful in that part of what you are asking. I never hear what the disposition is when they are sent to juvenile court.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman if he has had a recent case of a bad violation of the Motor Vehicle Code, particularly with regard to speeding by a driver between the ages of 16 and 18 years?

Mr. WILT. Yes.

Mr. AUKER. How fast was that driver going?

Mr. WILT. I think he was clocked at 80 miles an hour.

Mr. AUKER. And you have not heard of the disposition of that case?

Mr. WILT. No. In that particular case the boy, I think, got legal advice, and he and his father came to my office prepared. I think the father came with the thought that we were going to hold a hearing on this boy. The first thing I asked the young lad was how old he was. He said he was seventeen years of age. I looked at his father and said to him, "You know we are not permitted to hold a hearing on this boy." He said, "I know you are not." So I had no alternative but to turn the case over to juvenile court.

Mr. AUKER. That is all, Mr. Speaker, I thank the gentleman.

Mr. Speaker and Members of the House, by taking the floor on this subject, juvenile motor vehicle operators,—that is, those operators of motor vehicles between the ages of 16 and 18 years, and who are under the law of Pennsylvania classified as juveniles,—I am not seeking to stir up an argument per se, or attempting to arbitrarily create an issue; nor am I attempting to ram down anyone's throat that they were wrong in the previous discussion of this matter on the House bill recently considered

in this House regarding the raising of fines for speed violations.

It is simply my idea, as it was at that time when I brought it to the attention of the House, that there is a large class of motor vehicle operators who are not subject to the Motor Vehicle Code.

By means of my interrogation of the gentleman from Allegheny County, Mr. Wilt, who is and has been for many years an alderman in the county of Allegheny, I simply wanted to emphasize the point I am trying to make, and to further substantiate the interrogation by a written formal opinion from the Attorney General's Department, a synopsis of which reads as follows:

I am enclosing a copy of Formal Opinion No. 333, dated March 13, 1940, which I believe fully answers the questions propounded by you in your letter of August 12, 1959.

You will note, as set forth on page 4 of the Opinion that the juvenile courts have full and exclusive jurisdiction in all proceedings affecting delinquent, neglected and dependent children, and a delinquent child is defined, as set forth on page 5, as one who has violated any law of the Commonwealth or ordinance of any city, borough or township.

Mr. Speaker, I am bringing this out so as to clarify this situation that seemed to be somewhat muddled in the debate on this previous bill last week.

This I believe substantiates fully and proves my statement previously made on the floor of this House that juvenile operators of motor vehicles are not subject to the provisions of the Motor Vehicle Code, and especially the penal provisions under the Code. The penal provisions of the Code, of course, are in the Code because of the deterrent effect they are supposed to have on Vehicle Code violators.

Now here we have a large class of violators who by law we have set up as a special class under the Motor Vehicle Code. I have no criticism of the fact that we do classify the people between the ages of 16 and 18 as juveniles in their consideration and the treatment of them for crimes committed or allegedly committed. I do however, very seriously and emphatically criticize the fact that they do not come under the provisions, and especially the penal provisions of the Motor Vehicle Code. I do not believe anyone can argue too strenuously on the point that if they are old enough, are fit enough, and are granted the privilege of having an operator's license for motor vehicles, then certainly they should be made subject to all the provisions of the Motor Vehicle Code and especially the penal provisions. To say otherwise is to say of this large class of drivers between the ages of 16 and 18 years, there is no actual deterrent to the violators of the Motor Vehicle Code for you boys and girls between those ages.

Mr. Speaker, to resume, as I tried to show by the interrogation of the gentleman from Allegheny County, Mr. Wilt, the control and supervision of this class of drivers under the juvenile courts of our state is apparently not working as a practical measure and as a deterrent to this class of driver in the violation of the provisions of the Motor Vehicle Code. From reports that I have received from police departments and in many instances from the State Police, their complaints are all the same. We have no power of enforcement, no power of restraint



or deterrent against these juvenile motor vehicle operators in their violations of the Motor Vehicle Code. They inform me that their experience has been that they laugh at the courts and laugh at us, the enforcement officers of the municipalities of the state.

There has been a bill introduced on the floor of the House, I believe several bills in fact, to accomplish this very purpose. I have not sponsored such a bill because I knew bills were introduced to that effect, and I do not believe in stealing or copying other Members' bills; that is to put this large class of drivers under the provisions of the Motor Vehicle Code and insofar as the Motor Vehicle Code is concerned, to remove them from the juvenile class.

I cannot prove this point. It possibly could be classified as merely hearsay, but the word I get from the juvenile court judges of this state is that they are blocking and preventing this particular bill to accomplish this purpose from being reported from committee. If that is so, and I wish to state that I am not stating this as a fact, that they are blocking the bills, but if that is true that the juvenile courts are blocking this bill, then I believe it is high time that this Legislature assert their prerogative and pass legislation which they feel is needed and is vitally necessary as a measure of safety for the Highway Safety Program, and not let the courts dictate to the Legislature. That is not the court's prerogative or their right or privilege to do so.

We do have a very large class of drivers who are recognized as a very large class of Vehicle Code violators between the ages of sixteen and eighteen years. Very many of them are very serious violators and we are letting them go practically scott free. I believe this is a very important matter and should receive the very serious consideration of this Legislature and of this administration.

The administration has made a great hue and cry for a highway safety program. A large series of bills have been introduced and passed in this body to carry out that new look, so called, of the highway safety program by this administration. With the idea behind that program I have no criticism whatsoever, but I do say this very emphatically, that if this administration is as sincere as they say they are in this new highway safety program, then they should use every means at their disposal to eliminate this particular class of juvenile drivers between the ages of 16 to 18 years and use every means in their power to bring them under the Motor Vehicle Code and its provisions.

Law enforcement officials are emphatic that they are helpless against this class of drivers and that the juvenile courts certainly have not been successful in their treatment of these juvenile drivers in deterring them from motor vehicle violations.

In my viewpoint I believe this Legislature should do everything in its power to back up in every way possible their enforcement of the Motor Vehicle provisions, especially as relating to the Highway Safety Program. This they cannot do unless we eliminate this special class of pampered drivers and put them in the same classification and under the same rules and regulations as other motor vehicle operators.

I certainly hope and trust that before this Session is over that a bill will be passed removing this favored treatment of this large class of juvenile drivers between the ages of

16 and 18 years. Here we have a chance to do a real job on the Highway Safety Program, and I might even go so far as to say if it is not done by this administration, then one might easily infer and deduce that this administration is not really sincere in its Highway Safety Program, is not really behind it in spirit, but merely giving it lip service.

I again sincerely trust that the proper action will be taken at this Session of the Legislature to correct this very bad situation. At least there is still ample time to have the committee hold a hearing on this bill and have all interested parties before it, and from that hearing and testimony get a true picture of this situation from this class of juvenile operators.

Mr. McCANN. Mr. Speaker, the proposed legislation that the gentleman from Blair, Mr. AUKER, was discussing here certainly deserves our attention and consideration.

I know there is far more than one proposed piece of legislation in this field, particularly dealing with the minors, so that they would be subject to the Motor Vehicle Code, not juvenile court, between the ages of 16 and 18.

In fact, Mr. Speaker, I believe it would be well to say that arrangements should be made to choose one of the various bills sponsored in this field and present it to the House for debate and consideration. I hope that can be done in the very near future. I personally am very much in favor of such legislation and I, too, feel the same as the gentleman from Allegheny County that I am not a person who opposes what the juvenile court now does or may do, because I think they do an excellent job, but I do believe that the people who drive automobiles, the youngsters between 16 and 18, are just as subject to every law as you and I are, and it is extremely important that they be handled in the same manner. I hope that this can be done, and I thank the gentleman from Blair, Mr. Auker, for his very good discussion in this field of legislation and hope that we can accomplish it in the very near future.

#### PERMISSION TO ADDRESS HOUSE

Mr. STEWART asked and obtained unanimous consent to address the House.

Mr. STEWART. Mr. Speaker, this morning I introduced a bill which will amend the Home Rule Charter of the city of Philadelphia in a very important aspect, one that I think is absolutely necessary after the shocking disclosures made in Philadelphia by former Governor Stassen.

These disclosures go to the very heart of the problem of government known as "Profit in Politics." It has been charged by Mr. Stassen, and admitted by Mr. Dilworth's law firm, that there have been vast sums of money taken by that firm by way of fees. There has been at least a tacit admission of the sum of \$150,000.

The letter has been very, very finely drawn by a group of lawyers with legal language. What they have overlooked is the fact that the law firm of Dilworth has obtained millions of dollars out of endorsing the bond issues of the city of Philadelphia. What it has overlooked is that the law firm has done business with the city, with its many administrative boards, and has attracted many thousands of dollars in fees. The charge has been made and admitted, and this bill would prohibit the Mayor and the



District Attorney or any of his law partners or associates from doing business with the city of Philadelphia.

I believe this is a piece of good government legislation, and I call upon the Democratic majority in the House to report the bill out and pass it over to the Senate.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1694, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for architects' plans to be furnished by the Department of Public Instruction for elementary and secondary school buildings.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

### BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

#### BILLS PASSED OVER

There being no objection House Bill No. 1427, Printer's No. 1365 was passed over temporarily at the request of the Speaker pro tempore.

### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 56, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts and county institution districts to file tax and municipal claims not filed within the time specified by law \* \* \* and providing for the reinstatement of the liens of such claims and judgments.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, House Bill No. 56 as originally introduced was similar to the bill which we have been passing every two years for a good long time. The purpose of the bill is designed to correct omissions by municipalities and solicitors in not filing liens within the time prescribed by law.

From time to time we have passed the validating acts which make legal the mistakes of omission which occurred during the previous two year period, and so we in effect extend the statute of limitations in each one of these particular items.

Since this bill was introduced it has been amended to read that we are allowing corrections of all mistakes heretofore made, and we are extending it to cover any mistakes or omissions hereafter made. In effect what we are doing is saying to any solicitor or any particular municipality or borough, it is all right if you do not file your lien within the time required by law because under this bill you can file it any time and it will be all right. So we are called upon today to make what I consider a

major decision, and that decision is: Shall we allow limitations of time in which certain actions must be completed by municipalities, boroughs or solicitors, or are we going to say in effect, don't worry about the time limits that is placed in a particular law, if you do it anytime it will be all right, and you can establish your lien.

I think this particular bill will lead, perhaps, to some negligence, carelessness and an attitude upon the part of municipalities and solicitors to allow things to slide until they find time to do it. In other words, this group of liens should be filed by next week, but I will do something else right at the present time and realize, perhaps, a little better use of my time, so I will just put it off until next week, the fact that the limitation applies does not mean anything. I think this is a step in the wrong direction.

I have continually believed that validating acts should take place. We should continue to reenact them from year to year, but I do object to allowing the door open for all time and try to correct all of these mistakes which you are going to have maybe ten years hence. I do not think it is right, and I think this a wrong step in this particular bill.

Mr. LIPPINCOTT. Mr. Speaker, I think the gentleman has tried to explain the bill fairly, but he has not gone far enough.

He has said to this House that the effect of this bill would be that there would be no limitation or time within which a lien should be filed. That is not correct.

As the gentleman has stated, under the law municipalities and school districts are given a certain period of time in which to file certain liens. For example, if a paving job is done in front of someone's property, a lien must be filed within six months. Now, if for one reason or another that lien is not filed, because of a mistake or because of an oversight on the part of someone, and I might say it is not always attorneys, but it has been, and in other instances it has been secretaries of municipalities who have failed to send in the list of liens--but in any event if the lien is not filed in time, the municipality is the one that suffers. The taxpayer is the one who should have paid the bill, and if he does not pay it he may get an unfair advantage over the municipality in being able to sell his property without paying this lien.

Every Session, as the gentleman has stated, we pass an enabling act which allows the municipalities to file these liens which they had failed to do, or allows them to revive liens which they failed to revive every five years as required. I think if you will check the statute books you will find that every two years, going back almost as far as you can find, this validating law has been passed. This bill would put the validating law on a permanent basis. The only possible person who might be harmed by this would be the delinquent taxpayer who has not paid his bill.

This bill in its present form will greatly benefit municipalities and school districts throughout this Commonwealth by permitting them to file liens which have been carelessly overlooked. It will be a very beneficial bill to these municipalities and school districts.

I say the bill in its present form is a good bill. It is a bill that has been needed for a long time, and it does not in anyway change the time within which a lien must be



fled. A lien still must be filed within six months, or three years, or whatever the statute of limitations is, and must be revived within five years, and if that is not done the lien is lost on the property. This bill will prevent that. It will avoid the necessity of having people wait until the Legislature passes the bill each Session. I say it is a good bill and I hope all the Members will vote for it.

Mr. A. J. MURPHY. Mr. Speaker, as sponsor of this bill, we know that in every Session of the Legislature, we are compelled to pass an act of this nature in order to allow the municipalities to file their lapsed liens. I think that the amendments to this bill are good and proper. I think it will save us an awful lot of legislative time in the future by reenacting this law every two years. There are a great many instances when municipalities feel as though they want to give their taxpayers a little more time, a little more time, and finally the time for filing these municipal liens lapses. We are then caught in a pinch where we have to wait for the next Session of the Legislature before we can allow the municipalities to collect the money they having coming to them.

A bill of this nature, once it is enacted and made of a permanent nature, which is what these amendments will do, will then save us time from reenacting the bill and can certainly not hurt anyone. Once the bill is enacted it will mean that at any time we may file on these municipal liens. These people owe the money to the municipalities and they should be entitled to collect them at any time, not suffer the penalty of a lapsed lien and not have to come back up here every Session of the Legislature and reenact such legislation.

I sincerely urge the Members on both sides of the House to support the bill as amended.

Mr. LOPRESTI. Mr. Speaker, I hold no brief for the people who owe these liens. They owe the money, and, as I say, every two years we reenact this law. I think it is proper that we should do it, so that people would not avoid a proper debt. However, I do oppose any law which is going to destroy an orderly process.

Under our present law, every municipality and every solicitor make an attempt, at least, to file his liens on time. This particular type of legislation is going to allow them to slide, it is going to permit them to, well, just ignore as it were, the limitations that are in the bill, because if they filed a month late it would still be valid.

We have on the statute books a law which says that a lien must be filed, let's use the example, within one year, and every solicitor and school board or whatever it might be now tries to live up to that deadline of one year, but once this bill is passed they know that they can take one year and two months and the lien is all right; they can take one year and three months and it will be all right; they can take a year and six months and it will still be all right. In fact, they can decide to file any time they want to. I say to you that there are people in communities where there will be lax administration, they will let these things slide and it will go on for maybe two or three years without the liens having been filed, with the knowledge on the part of the solicitor and the particular municipality that any time they do file it, it will be all right. As a result, sometimes properties are going to be sold with liens not having been filed, and some municipalities are going to find when they attempt to file their liens that time is gone and the lien has not been filed be-

cause the statute of limitations had not been complied with. I think this is a wrong step to take. That is a personal opinion and, of course, I am merely pointing it out to the Members of the House and let them use their own judgment.

Mr. AUKER. To keep the situation level, since their has been one Republican who spoke for the bill, one Democrat who spoke against it, and one Democrat who spoke for it, I feel that I as a Republican should take the floor also and be a Republican who speaks against this particular type of legislation.

I do not like to disagree with my very good friend from Delaware, Mr. Lippincott, or the gentleman from Washington, Mr. Murphy, but I do have to agree with the gentleman from Cambria, Mr. Lopresti, that this bill with the amendments here, the way it is, is bad legislation.

I do not feel that we have any right to come down here and by an enactment of law put a premium on carelessness, neglect and mistakes. That is implied if not expressed in what we are doing by this legislation. It would be much better to pass a bill every Session of this type of legislation, rather than to make it permanent and, as I say, by impliedly or expressly putting a premium on carelessness, neglect and mistakes on the part of the officials who are paid to do their job properly and if they make mistakes be held accountable for them and not ask the Legislature to correct them for them.

I ask every Member to vote down the bill in the present form unless the sponsors of the bill are ready to amend it to take out this permanent feature.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—131

Agnew,	Frank,	Lippincott,	Royer,
Anderson,	Frascella,	Lulgard,	Scarcelli,
Arlene,	Gallagher,	Lutty,	Schaaf,
Ashton,	George,	McCann,	Schuster,
Balthaser,	Gibb,	McCormack,	Seltzer,
Boris,	Goodrich,	McInroy,	Sherman,
Bower,	Gramlich,	McLaughlin,	Shupnik,
Bowman,	Hamilton,	Machmer,	Snider,
Branca,	Heavey,	Mahan,	Steckel,
Brenninger,	Helm,	Markley,	Stimmel,
Buchanan,	Henzel,	Meholchick,	Stone,
Capano,	Hocker,	Mihm,	Stoner,
Capitolo,	Holt,	Mills,	Stroup,
Cioffi,	Horst,	Monroe,	Taylor,
Clarke,	Isaacs,	Muldowney,	Tompkins,
Comer,	Johnson, A. W.,	Mullen,	Trusio,
Curwood,	Johnson, R.,	Munley,	Varallo,
Davis,	Jones, F. R.,	Murphy, A. J., Jr.,	Wall,
Dengler,	Jones, T. H. W.,	Murphy, P. J.,	Walsh,
Dennis,	Jump,	Musto,	Wargo,
Devlin,	Kamyk,	Naugle,	Weidner,
Donahue,	Kelser,	Needham,	Welsh,
Donaldson,	Kernaghan,	Nelson,	Wheeler,
Dougherty,	Knecht,	O'Donnell, J. P.,	Williams, A. D., Jr.,
Down,	Kooker,	Odorisio,	Williams, E. S.,
Edwards,	Kornick,	Ogilvie,	Willard,
Ellberg,	Korns,	Petrosky,	Willaredt,
Eshback,	Kovolenko,	Polaski,	Wilt,
Eshleman,	Kubitsky,	Polen,	Wood,
Fetterolf,	Lamb,	Price,	Worley,
Filo,	Lee, K. B.,	Reidenbach,	Wynd,
Fineman,	Leonard,	Renwick,	Zimmerman,
Floyd,	Limper,	Riley,	

## NAYS—57

Auker,	Goldstein,	Maxwell,	Pursley,
Boles,	Heffner,	Merry,	Reibman,
Bonner,	Holliday,	Miller, B. Z.,	Rigby,
Burns,	Irlis,	Miller, H. G.,	Rovansek,



Cianfrani,	Jenkins,	Murray, H. P.	Rudisill,
Crossin,	Jim,	Murray, J. J.,	Sakulsky,
Ewing,	Kee,	O'Dell,	Stank,
Farabaugh,	Kessler,	O'Donnell, J. A.,	Stevens,
Flynn,	Lee, A. M.,	O'Neill,	Stewart,
Foerster,	Light,	Parlante,	Strausser,
Fox,	Lopresti,	Pashley,	Verona,
Fulmer,	McCandless,	Perry, H. H.,	Whittaker,
Galley,	McDonald,	Perry, P. E.,	Yatron,
Garlock,	Magee,	Prendergast,	Yetter,
Gelfand,			

## NOT VOTING—22

Barton,	Dennison,	Schwartz,	Ujobai,
Bell,	Guthrie,	Silverman,	Varnier,
Blair,	McKeever,	Snare,	Wescott,
Breth,	Moran,	Sullivan,	Andrews,
Brown,	Murray, P. G.,	Thompson,	Speaker
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, before I make the next motion I would like to announce to the House that we will act on this bill, and there will be a half-hour break for lunch. The Republican Floor Leader, Mr. Johnson, has asked for a caucus which will be announced at that time.

## BILL AND AMENDMENTS TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that Senate Bill No. 424, Printer's No. 1274, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the issuance and transfer of liquor licenses.

together with the amendments be taken from the table.

The motion was agreed to.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Westmoreland, Mr. Petrosky, on August 11, 1959?

Mr. PETROSKY. Mr. Speaker and Members of the House, I do not believe it will be entirely necessary to go into a detailed explanation of the amendments that are before us, for I believe the membership of the House is well aware of their import inasmuch as we took the greater part of an afternoon last week in the adoption of these amendments, and certainly the membership of the House knows their import.

Since that time, however, it has come to pass that because of certain allegations and assertions made by the newspapers throughout the Commonwealth we have had a flurry and an excitement created among some men who are concerned primarily, I believe, with personal political ambitions. Events have led up until this moment to place the bill back into its original position as it was passed by the Senate and the repeal, of course, of the appeals amendments which I have offered.

I again today maintain and submit to the membership of this House that in no way do these amendments affect the wording or the language of Senate Bill 424 as it passed the Senate. Certainly I could not and will not support this bill in this position. Likewise I must state

that all of our services, civic, fraternal and social organizations, club organizations, throughout the state are opposed to Senate Bill 424 as now written. In fact I may say they are vehemently opposed to it because of the dire impact it could have upon those organizations. It, too, is opposed very bitterly by the retail industry throughout the Commonwealth of Pennsylvania.

This opposition does not stem from the fact that these organizations and these business men want to see what the proponents of this bill contend that this will eliminate, namely, Skid Row operations, but they are opposed to it because they can see the broadening and the scope of the power, arbitrary power of the board, could impair their right to a livelihood in this industry, and their right to the associations and their respective club organizations as they have followed them down through the years.

The proponents of this bill, as is evidenced by the language in it, are endeavoring to curtail the powers of the courts. The amendments that I offered are nothing more than clarifying amendments, clarifying the Acts passed in 1949 and incorporated in the classification of the Liquor Control Act of 1951. They are amendments that clarify the appeals to the court and are spelled out in easy to understand school boy language so that there may be no misunderstanding. I believe that we should concern ourselves not with what is practical for political purposes at this time, but rather than discredit the action of this House by passage of such a proposal without the amendments, we should concern ourselves with what injury we may do, not to that small minority of people who bring discredit to this industry in the Commonwealth, but with what injury we shall do to the great majority that are in the industry in this Commonwealth; how much injury can we do by the passage of such a piece of legislation.

In order to take cognizance of that we should vote favorably upon the amendments so that those who could be aggrieved by such a broad scope of power that we give to a board, whatever the administration, such great arbitrary power, that they then would have the right to appeal to their courts. I venture this, and I say to the House, I am perfectly confident that in my county my courts will act in accord with what is just, right and equitable to everyone concerned. Where to me the sustaining of the board's decision in the case where the health and welfare of certain people are concerned, this certainly would not sustain them. I suggest to those proponents of the bill who are pressing for its passage without the amendments, that if your courts are not in order then run the right candidates and correct your situation locally. Do not thrust upon us a situation that we do not need, we do not have to have, and we are getting along very well without.

Mr. Speaker and Members of the House, I again submit to you as I did last week, that these amendments are a good proposal to a very bad piece of legislation that will bring iniquity into every county in this Commonwealth. I ask for your support of the amendments that I have offered.

Mr. GAILEY. Mr. Speaker, I do not propose today to rehash all the arguments that were made pro and con on this bill at the initial time it was considered, but I will say that the Legislature has long ago decided, in its wisdom, that this was one industry in our Commonwealth



that should be regulated and they decided a long time ago that proper liquor regulation should be an administrative board, one which was completely familiar with all aspects of this industry.

Mr. Speaker, if these amendments are introduced into this bill, we will render our present system of administrative regulation of the liquor industry of Pennsylvania a nullity for it will mean that any decision of the board may be appealed anew to the court just as if there had been no consideration at all by the Liquor Control Board. I think I need not point out the contempt this would breed for the Liquor Control Board if its decision were in effect rendered a nullity because a new decision could be made by the courts upon appeal. This immediately or perhaps over a period of years would break down our present administrative regulation of the liquor industry. We have operated this way for a long time, I think, despite fulminations against the Liquor Control Board on occasion by Members of this Assembly and by others, that it is operated well and successfully. I think the amendments should be defeated and the bill passed as it was in its original form.

Mr. GOLDSTEIN. Mr. Speaker, would the gentleman from Westmoreland, Mr. Petrosky, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Westmoreland, Mr. Petrosky, consent to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Is it not true that Senate Bill 424 as originally passed only covered the subject-matter of granting of licenses in certain areas?

Mr. PETROSKY. The granting of licenses and the transfer.

Mr. GOLDSTEIN. Is it not true that this bill only applies to future licenses, it does not affect existing licenses?

Mr. PETROSKY. That is correct. However, now it concerns present licenses that want to be subject to transfer.

Mr. GOLDSTEIN. Mr. Speaker, is it not true that the second of the amendments sponsored by the gentleman from Westmoreland relates to suspensions and compromises? Will the gentleman tell me what the relation is between suspensions and compromises and granting of licenses?

Mr. PETROSKY. The relationship is not material in this instance, Mr. Speaker. Certainly there is no relationship. One would know that. The presentation of my amendments, as I indicated, was principally on the appeals for both the licenses and transfers, together with carrying out fully the same type of appeals into the field of suspensions and relocations and so forth.

Mr. GOLDSTEIN. Mr. Speaker, is it not true that the licensee today has the right to appeal to the Court of Common Pleas?

Mr. PETROSKY. The gentleman well knows that we hashed that out last Wednesday.

Mr. GOLDSTEIN. Yes, well, that is all, Mr. Petrosky.

We hashed this out and the gentleman from Westmoreland, Mr. Petrosky, fought very successfully in one instance and in the second unsuccessfully on behalf of the tavern bill for they need this particular legislation.

I will repeat that the ordinary citizen of the Commonwealth of Pennsylvania needs the defeat of this amendment and passage of the bill in its original condition as it came from the House. We say again and we ask all of

you to stand behind the Democratic and Republican platforms and defeat this amendment.

Mr. EILBERG. Mr. Speaker, the first speaker, Mr. Petrosky of Westmoreland County, made some statements which I feel were not strictly correct and perhaps bordering on the offensive.

He stated that there was a flurry and excitement following the action of this House last week. He stated that this was brought about by persons concerned with "personal political ambitions. Is the gentleman referring to the Governor of this Commonwealth? He is not a candidate. Is he referring to the Democratic city Chairman of Philadelphia, Congressman Green? He is not a candidate. Is he referring to Joseph Barr? Is he referring to Mayor Dilworth? He does not specify.

If he is referring to Senator Barr or Mayor Dilworth, I do not think it needs to be pointed out that both these gentlemen do come from the very areas which are vitally concerned with the legislation in question and they have a legitimate right to speak out for what is best for their communities. I said, Mr. Speaker, that this is skid row legislation. This is an attempt to affect those low-income areas that breed crime and vice, and there is a vital need to do something about these areas in the larger cities in the Commonwealth.

The gentleman referred to granting arbitrary powers to the Liquor Control Board, but he omits the fact that House Bill 796 and House Bill 797 exactly accomplish the purpose that he has in mind. There is no need to add the amendments as the gentleman requests or desires except for the purpose of killing the bill.

I say to you that 796 and 797 are in the Senate. If they meet death there that is beyond our control, but at the same time if we were to amend the bill as the gentleman seeks, we have no more assurance that our amendments or our amended bill would meet any different fate in a conference committee. I say to you Members of the House, the only purpose behind these amendments, the only purpose at all, is to kill the bill.

The only purpose behind these amendments is to present a bill which is different than that which has already passed the Senate, with the expectation and hope that no bill at all will come out of the Conference Committee.

I therefore ask that we pass this bill exactly as the Senate passed it and get it to the Governor with all possible speed.

Mr. PETROSKY. Mr. Speaker, for the purpose of the record I would like that several things should be pointed out.

One of the first speakers pointed out there was such a great clamor for this particular legislation by a tremendous number of people. I believe I am in receipt of communications from the people, and being a member of the committee to consider this legislation just about as average a number of communications would get as the other Members of this House, and to this date I have not had one communication in favor of 424 from the rank of our people in the Commonwealth. Another of the gentlemen has referred to the type of personalities and so on.

We have been considering legislation here and we all know just what is incorporated in the bill and just what it is proposed to do is not all that meets the eye. There are a great number of economic factors involved as well, the same as we had here in the consideration of Senate



Bill 405, the Sunday closing bill. The same thing holds here, where you have the powerful influences that can reach into the political life in administrative places and seek out the favors, but the little fellow down the street cannot have those contacts, get that type of favors.

I want to say here to those people who represent the areas that are primarily interested in this because of the church people, recognize too where is your appeal where an arbitrary position of a board would place a license into a particular area that you did not want it in? Can you go to your local court and have the order of that Board revoked? You cannot.

One of the gentlemen has said that the purpose of the amendments is to kill the bill. Let us review the record. Let us see what the people say whose very life line, their very business life, would be jeopardized by Senate Bill 424. Let me read an excerpt from a communication from one of these groups. I want to read an excerpt from the group of the Pennsylvania Federation of Fraternal and Social organizations, and it is my understanding, even though I have no communication, that the Tavern Association and all the other affiliated groups in the 67 counties of the Commonwealth feel likewise.

"Surely no one is going to object to the appeal amendment. It is in the identical words which the House already voted in this Session when it passed House Bill 796 and 797, and these are the same words which the Senate in 1957 voted in favor of 40 to 3. As Senate Bill 424 is now, that is after the appeal amendments are put in, we withdraw our objections and we are supporting the bill.

Now, Mr. Speaker, there is no intent to kill Senate Bill 424. The appeal amendments merely provide a safeguard to give a right, a day in court for the aggrieved person, and I want to say to the membership here, recognize if you will that if an arbitrary board wants to put an establishment within an area where your people feel that the very well-being of your community will be hurt, you have no way of getting back and having the orders of the Board set aside.

I ask the Membership of the House to vote for the amendment.

Mr. P. E. PERRY. Mr. Speaker, I want to get up here to admit that last week in voting for the amendment I made a terrible mistake and I publicly admit that it was a mistake.

When I got back home on Thursday I received several protests in my office about voting for this amendment. Thursday evening I toured skid row areas in Philadelphia. I do not have one in my district and I had no idea or imagined that any such condition would be allowed to develop in any civilized city. It was a Thursday evening, the day before pay day, when there would probably be the highest trade in those areas, and what I saw pretty near turned my stomach.

I offered a motion to reconsider the vote on the amendment and I am grateful for the opportunity to cleanse my conscience by voting against this amendment.

Mr. FINEMAN. Mr. Speaker, when these amendments were considered last week I not only voted for the amendments, but I debated for the passage of these amendments.

Today I have to reverse my position and I feel compelled, because of the change in my vote, to explain to the Members of the House why I am changing my vote.

I feel no less strong about the propriety of these amendments this week than I felt last week, but I have been reliably advised and informed by a source that I consider unimpeachable that if this bill were to pass with the amendments it would unquestionably never get to see the light of day. It would never come on our statute books.

I am concerned, as is every Member of this House, about skid row conditions. I am also concerned about preserving every individual's right to have his day in court, but when I balance equities, as I am constrained to do, when I compare the possibility of the failure of this bill, when I compare that situation with the alternative that is presented, I must come up with the conclusion that in the greater interest of the greater number of people, I want this bill rather than no bill at all. For that reason I am going to vote against the amendments.

Mr. STEWART. Mr. Speaker, I only want to say this to the Philadelphia Democratic delegation. I welcome them to the ranks of the Philadelphia Republicans who voted against those amendments last week and shall do the same today.

Mr. SCHWARTZ. Mr. Speaker, I think our Representative Fineman pretty well expressed my sentiments. I do not agree, of course, with the previous speaker. He ought to check the record a little bit, and I think he will see that he has changed his position. He has changed horses a few times mid stream here, so that it does not come with good grace from my friend, Mr. Stewart, to make the remarks that he did.

In the debate on these amendments last week I thought I made myself very clear that I was in favor of 424, very much in favor, and that I would vote for 424, with or without the amendments. I resent, as representative Petrosky did, an inuendo that these amendments were put onto 424 in an attempt to defeat 424. I resent it very bitterly. I was honest in my statement that I felt everybody, whether he be a licensee or whatever he is, is entitled to his day in court, and I say to you, those amendments would do nothing other than that.

However, when we come down to a point of whether we are going to have 424 or not, as Mr. Fineman put it, you will have to balance the equities, and I agree that 424 is more important than the amendments and, therefore, on the vote on the amendments, I must vote against the amendments in order to make sure that 424 survives.

Mr. CAPITOLO. Mr. Speaker, I voted for the amendments. I am not sorry I voted for the amendments. I feel this way: an owner of a license has a right to be heard in court. I know about skid row; I happen to be a district manager of a liquor Company and I say to you, with the amendments or without the amendments, Bill 424 can still get rid of those skid rows. So I am still going to vote for the amendments of Mr. Petrosky, to give the individual, the owner, the licensee, the right to be heard in court.

On the question recurring,

Will the House agree to the amendments?

A division was called for, less than a majority having voted in the affirmative, the question was determined in the negative and the amendments were not agreed to.

Mr. McCORMACK. Mr. Speaker, I would like the record to show that I voted "no" on the amendments.

On the question recurring,



Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, although I know, and it appears very evident, that the bill will pass by an overwhelming majority, I certainly could not lend my vote to the passage of a bill as diabolical as the one that is before us and one that is so far-reaching in its impact upon our citizenry.

I am going to oppose the bill and, without wasting the time of the House, I only say that the day will come that many of us who are sitting here who voted in behalf of it will regret the day that they have.

Mr. Speaker, I am vehemently opposed to the bill as are the organizations that are interested with the import within the written pages of Senate Bill 424 as it now appears before us.

#### POINT OF ORDER

Mr. McCORMACK. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, although I am very much in favor of the bill, I just cannot sit by and see our parliamentary procedure and rules disposed of. I think I have to raise a point of order at this time, that the bill that we are now voting on is not in print. If it is I would like to know the printer's number.

The SPEAKER pro tempore. The Chair would advise the gentleman that the bill that we are voting on is Senate Bill No. 424, printer's number 1243. It is in the Members' files.

Mr. McCORMACK. I am sorry and I withdraw the point.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair will repeat, the bill we are going to vote on is Senate Bill No. 424, Printer's No. 1243, which is the print of the bill without the amendments inserted by the House on Tuesday, August 11, 1959.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—151

Agnew,	Frascella,	Leonard,	Royer,
Anderson,	Fulmer,	Light,	Rudisill,
Arlene,	Galley,	Limper,	Scarcelli,
Ashton,	Gallagher,	Luigard,	Schuster,
Auker,	Garlock,	Lutttv.	Schwartz,
Balthaser,	Gelfand,	McCandless,	Seltzer,
Boles,	George,	McCann,	Sherman,
Boris,	Gibb,	McCormack,	Silverman,
Bower,	Goldstein,	McDonald,	Snider,
Bowman,	Goodrich,	McInroy,	Stevens,
Branca,	Gramlich,	McLaughlin,	Stewart,
Brenninger,	Hamilton,	Machmer,	Stone,
Buchanan,	Heavey,	Magee,	Stoner,
Capano,	Heffner,	Mahan,	Strausser,
Capitolo,	Helm,	Merry,	Stroup,
Cianfrani,	Henzel,	Mihm,	Taylor,
Cioffi,	Hocker,	Miller, B. Z.,	Tompkins,
Clarke,	Holliday,	Miller, H. G.,	Ujobal,
Comer,	Holt,	Monroe,	Varallo,
Davis,	Horst,	Muldowney,	Wall,
Dengler,	Irvins,	Mullen,	Walsh,
Dennis,	Jenkins,	Murphy, A. J., Jr.,	Wargo,
Devlin,	Jim,	Murray, H. P.	Weidner,

Donahue,	Johnson, A. W.,	Murray, J. J.,	Welsh,
Donaldson,	Johnson, R.,	Musto,	Wheeler,
Dougherty,	Jones, F. R.,	Naugle,	Whittaker,
Down,	Jones, T. H. W.,	Needham,	Williams, A. D., Jr.,
Edwards,	Kamyk,	Nelson,	Williams, E. S.,
Elberg,	Kee,	O'Donnell, J. P.,	Willard,
Eshback,	Kelser,	Ogilvie,	Willaredt,
Eshleman,	Kernaghan,	Parlante,	Wilt,
Ewing,	Kessler,	Pashley,	Wood,
Fetterolf,	Knecht,	Perry, H. H.,	Worley,
Filo,	Kooker,	Perry, P. E.,	Wynd,
Fineman,	Kornick,	Polen,	Yetter,
Floyd,	Korns,	Pursley,	Zimmerman,
Foerster,	Lamb,	Rigby,	Andrews,
Fox,	Lee, A. M.,	Riley,	Speaker

#### NAYS—41

Bonner,	Lee, K. B.,	O'Donnell, J. A.,	Rovansek,
Burns,	Lippincott,	Odorisio,	Sakulsky,
Crossin,	Lopresti,	O'Neill,	Schaaf,
Curwood,	Markley,	Petrosky,	Shupnik,
Farabaugh,	Maxwell,	Polaski,	Stank,
Flynn,	Meholchick,	Prendergast,	Steckel,
Frank,	Mills,	Price,	Stimmel,
Isaacs,	Munley,	Reibman,	Trusio,
Jump,	Murphy, P. J.,	Reidenbach,	Verona,
Kovolenko,	O'Dell,	Renwick,	Yatron,
Kubitsky,			

#### NOT VOTING—16

Barton,	Brown,	McKeever,	Sullivan,
Bell,	Cooper,	Moran,	Thompson,
Blair,	Dennison,	Murray, P. G.,	Varner,
Breth,	Guthrie,	Snare,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

#### CONGRATULATIONS

The SPEAKER pro tempore. The Chair notes with a great deal of pleasure that the lady sitting in the front row, the lady from Northampton, Mrs. Reibman, is very tastefully adorned with a beautiful orchid.

We call the attention of the Members that today is her birthday.

We ask our Music Master to take the microphone and lead us in "Happy Birthday" to Jeannette.

The Members joined in singing "Happy Birthday" to Mrs. Reibman.

The SPEAKER pro tempore. The Chair extends the birthday greetings of the House of Representatives to the lady from Northampton, Mrs. Reibman, and recognizes the lady at this time.

Mrs. REIBMAN. Mr. Speaker, may I take this opportunity to thank the Members of the House for the lovely, lovely songfest, and to thank my colleagues from Northampton County who would not permit me to forget it was my birthday by sending me this lovely orchid, and to the unknown admirers who sent flowers. I wish I knew who they were. Thank you.

The SPEAKER pro tempore. I am sure the House would be interested in the unknown admirers.

#### STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, the gentleman from Westmoreland would like to clear a point.

I contend that the statement you made is correct regarding 424. Would the Chair repeat the statement per-



taining to the bill as amended by this House, in which the amendment placed by the Committee was taken out, and therefore the prior Printer's number of the amended bill, amended by this House, was voted on and passed by 151 to 41? The amendments he offered were the second amendments and Printer's number to the bill; is that correct, sir?

The SPEAKER pro tempore. The gentleman is correct.

The bill was originally amended in this House under date of August 4. The amendments that were offered by the gentleman from Westmoreland were offered on Tuesday, August 11. Those amendments have now been removed from the bill, and the bill goes back to the condition it was in under the date of August 4, under Printer's No. 1243.

Mr. PETROSKY. Mr. Speaker, I beg to differ with the Chair and with the Majority Leader.

The bill as transmitted to the House from the Senate was Printer's No. 456. The bill then was amended in committee and came out as Printer's No. 1028. Subsequently in the House, on August 4, the amendments that were placed in the Senate bill in committee were taken out by amendments that were offered on the floor by the gentleman from York, Mr. Gailey, and the gentleman from Allegheny, Mr. Goldstein. Then the bill was amended and became Printer's No. 1243, which in effect is the same position as the bill under Printer's No. 456, as transmitted from the Senate to the House. It then was amended on August 11, and became Printer's No. 1274, which amendments we took out.

So I contend, Mr. Speaker, and I ask the Chair to rule that the bill is in the same form at the present time as it was when it was transmitted from the Senate.

The SPEAKER pro tempore. The Chair is of the opinion that the gentleman is in error. The bill is presently in the form as it was amended under Printer's No. 1243 on August 4.

Mr. PETROSKY. Mr. Speaker, the language of the bill is identical to the language as it was transmitted from the Senate with the subsequent amendments and reamendments in it. Is that correct?

The SPEAKER pro tempore. That is correct.

Mr. PETROSKY. The only difference then, other than the language of the bill, would be a printer's number?

The SPEAKER pro tempore. That is correct also.

Mr. PETROSKY. Then we are in accord when we say for the record that the bill, in its printed words, is identical with the bill that was passed by the Senate.

The SPEAKER pro tempore. The Chair believes that is a correct statement, however, the latest Printer's Number of the bill with that wording in it is Printer's No. 1243.

Mr. McCANN. Mr. Speaker, to clear the next point which was brought up, Senate Bill 424, as it came from the Senate, had a different print number. Senate Bill 424 with the Printer's No. 1243, which we pass now, does not require concurrence of the Senate because it is as it passed the Senate even though it is a different print number.

The SPEAKER pro tempore. The gentleman perhaps is correct in the assumption that it will not require concurrence by the Senate; however, the reason the Chair ruled that the bill would be returned to the Senate for

its concurrence was because the bill had been amended in the House and the amendments inserted, but the Chair now believes it will not require concurrence by the Senate.

### QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. VARNER. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VARNER. Mr. Speaker, I missed the roll call and I would like the record to show, if I may have unanimous consent of the House to put it in the record, that I would support Senate Bill No. 424 in its present form.

### REPORTS FROM COMMITTEE

Mr. FILO from the Committee on Highways, reported as amended, House Bill No. 1109, entitled:

An Act establishing as State highways, certain county highways or sections thereof, tunnels, bridges, viaducts and approaches thereto in counties of the second class; and requiring their construction, repair and maintenance by the Commonwealth.

Mr. GAILEY from the Committee on Education, reported as committed, House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," providing for additional payments to certain school districts.

Mr. SAKULSKY from the Committee on Counties, reported as committed, Senate Bill No. 474, entitled:

An Act amending the act of June 25, 1947 (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class," increasing the salaries of certain county officers.

Mr. STANK from the Committee on Counties, reported as committed, Senate Bill No. 476, entitled:

An Act amending the act of June 25, 1947 (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class," increasing the salaries of certain county officers.

Mr. O'NEIL from the Committee on Counties, reported as amended, Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," increasing and fixing the salaries of certain county offices.

Mr. WYND from the Committee on Counties, re-reported as committed, Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the annual salaries of certain officers in counties of the eighth class.

Mr. WYND from the Committee on Counties, re-reported as committed, Senate Bill No. 480, entitled:

An Act amending the act of May 6, 1874 (P. L. 125), entitled "An act regulating state tax on certain county offices," increasing the maximum amount of fees that certain offices may retain.



Mr. SAKULSKY from the Committee on Counties, re-reported as committed, Senate Bill No. 481, entitled:

An Act amending the act of July 29, 1953 (P. L. 981), entitled "An act fixing the fees and mileage of the coroner in counties of the third class," increasing certain fees.

Mr. STANK from the Committee on Counties, re-reported as committed, Senate Bill No. 482, entitled:

An Act amending the act of January 7, 1952 (P. L. 1844), entitled, as amended, "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes," increasing certain fees.

Mr. O'NEIL from the Committee on Counties, re-reported as committed, Senate Bill No. 483, entitled:

An Act amending the act of May 13, 1949 (P. L. 1328), entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class," increasing certain fees.

Mr. WYND from the Committee on Counties, re-reported as committed, Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

### BILL RE-REFERRED

Mr. COMER from the Committee on Highways, returned with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 1484, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes \* \* \*," defining the formula used to determine the amount of payments to be made to the political subdivisions.

The SPEAKER pro tempore: The bill is re-referred to the Committee on Appropriations.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," providing for additional payments to certain school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I request that all Democrat Members take their House calendars with them. Mr. Speaker, I ask for a recess of one hour and thirty minutes, 30 minutes for lunch; on our side 45 minutes for lunch and 45 minutes for caucus.

The cafeteria will take care of all our Members. We would like to say when we come back following this recess, special orders of business will come up regarding the highway program, income tax resolution, the Mine Legislative Commission's Report on the disaster and various Senate Bills that will be agreed to be voted on today.

Mr. Speaker, I ask for a recess of one hour and thirty minutes.

Mr. A. W. JOHNSON. Mr. Speaker, during the one and a half hour recess on the Republican side we will lunch the first 30 minutes and we will caucus then for one hour.

The reason for that one hour is that we have not covered any bills on third reading. Will the Members on the Republican side bring their calendars and come to the caucus room as promptly as possible so that we can cover in the caucus this rather large third reading calendar and we can get on with the business of the day?

### RECESS

The SPEAKER pro tempore. Without objection, and with the approval of the Speaker of the House, the Chair now declares a recess until 3:45 Daylight Saving Time.

The Chair hears none.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ODORISIO for the remainder of today's session.

Mr. Tompkins for Mr. ISAACS for the remainder of today's session.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. SCHWARTZ asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. PETROSKY asked and obtained permission for the Committee on Public Utilities and Corporations to meet during the session of the House.

### BILL INTRODUCED AND REFERRED

By Mr. STEWART. HOUSE BILL No. 2328.

An Act amending the "First Class City Home Rule Act," approved April 21, 1949 (P. L. 665), prohibiting certain persons, partnerships or corporations from contracting or doing business with cities of the first class.

Referred to the Committee on Cities—Counties First Class.

By Mr. FINEMAN. HOUSE BILL No. 2329.

An Act amending the act of July 11, 1923 (P. L. 1032), entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys, in cities of the first class; \* \* \* changing provisions relating to the assessment of costs and enforcement of claims and liens; limiting the rights and powers of cities; and providing for appeals.

Referred to the Committee on State Government.



## SENATE MESSAGES

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1078, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law" providing for biennial registration.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to the House Bill No. 1080, entitled:

An Act amending the act of May 23, 1945 (P. L. 913) entitled "Professional Engineers Registration Law" authorizing registration of certain qualified persons without examination and providing for biennial registration.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1081, entitled:

An Act amending the act of July 12, 1919 (P. L. 933) entitled "Architects Registration Law" providing for biennial renewal of certificates and changing fees in accordance therewith.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1082, entitled:

An Act amending the act of March 2, 1956 (P. L. 1206) entitled "Chiropody Act of 1956" providing for biennial renewal of registration and changing fees in accordance therewith.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1083, entitled:

An Act amending the act of March 19, 1909 (P. L. 46) entitled as amended "Osteopathic Practice Law" providing for biennial registration.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives to House Bill No. 1084, entitled:

An Act amending the act of March 30, 1917 (P. L. 21) entitled "Optometrists' Licensure Law" providing for biennial registration and changing fees in accordance therewith.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1099, entitled:

An Act amending the act of May 22, 1951 (P. L. 317) entitled "The Professional Nursing Law" providing for biennial registration.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1512, entitled:

An Act amending the act of May 17, 1917 (P. L. 208) entitled "Pharmaceutical Practice Law" changing from annual to biennial registration.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1513, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216) entitled "Real Estate Brokers License Act of 1929" changing from annual to biennial registration and increasing certain fees.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1514, entitled:

An Act amending the act of April 27, 1945 (P. L. 321) entitled "The Veterinary Law" changing from annual to biennial registrations.



And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1515, entitled:

An Act amending the act of June 3, 1911 (P. L. 639) entitled as amended "Medical Practice Act" changing from annual to biennial registration and increasing the registration fee.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1516, entitled:

An Act amending the act of August 10, 1959 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" changing from annual to biennial registration.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1881, entitled:

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "Consumer Discount Company Act" further regulating the granting of licenses and providing for appeals.

And has appointed Messrs. Shafer, Elliott and Hays a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1447.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) imposing additional powers and duties on the Department of Health and establishing a fee.

#### HOUSE BILL No. 1507.

An Act amending "The Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the Department of Public Instruction to grant priority of reimbursement eligibility to certain projects and providing that the approved reimbursable costs of such shall not be included within the aggregate for projects already or to be undertaken.

#### HOUSE BILL No. 1561.

An Act authorizing the Department of Property and

Supplies \* \* \* to assign transfer and set over to the Pa. Game Commission the use, control and jurisdiction of 158.89106 acres more or less of land situate in Limerick Township Montgomery County.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of a former distinguished Member, none other than George Goodling of York, Pennsylvania.

### BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 133, on page 6 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1333, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" and changing the definition of the term "school zone" and provisions relating to certain traffic signs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—194

Agnew,	Gallagher,	McDonald,	Rudisill,
Anderson,	Garleck,	McInroy,	Sakulsky,
Arlene,	Gelfand,	Machmer,	Scarcelli,
Ashton,	George,	McLaughlin,	Schaaf,
Auker,	Gibb,	Magee,	Schuster,
Balthaser,	Goldstein,	Mahan,	Schwartz,
Boles,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heavey,	Merry,	Silverman,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Buchanan,	Hocker,	Mills,	Stevens,
Burns,	Holliday,	Monroe,	Stewart,
Capano,	Holt,	Muldowney,	Stimmel,
Capitolo,	Horst,	Mullen,	Stone,
Cianfrani,	Irviss,	Munley,	Stoner,
Cioffi,	Jenkins,	Murphy, A. J., Jr.,	Strausser,
Ciarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Taylor,
Crossin,	Johnson, R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, F. R.,	Murray, P. G.,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Ujobai,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Varner,
Dennison,	Kee,	Nelson,	Verona,
Devlin,	Kelser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.,	Wargo,
Dougherty,	Knecht,	Ogilvie,	Weidner,
Down,	Kooker,	O'Neill,	Welsh,
Edwards,	Kornick,	Parlante,	Wescott,
Eilberg,	Koras,	Pashley,	Wheeler,
Eshback,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polaski,	Willard,
Fetterolf,	Lee, K. B.,	Folen,	Willaredt,
Fillo,	Leonard,	Prendergast,	Wilt,
Fineman,	Light,	Price,	Wood,



Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Galley,	Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack,	Pursley, Reibman, Reldenbach, Renwick, Rigby, Riley, Rovanssek, Royer,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—14

Barton, Bell, Blair, Breth,	Brown, Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1590, on page 10 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1590, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) increasing the permanent excise tax.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, with the consent of the House I would like to have permission to debate the two bills which are companion bills.

The SPEAKER. The gentleman will be so privileged.

Mr. McCANN. Mr. Speaker, House Bill 1590 and House Bill 1593 are commonly known as the highway tax program or the one cent gasoline tax increase program for the Department of Highways.

These two pieces of proposed legislation would tend to bring into the Department of Highways or the Motor Vehicle Fund approximately \$31 million a year or, approximately, \$62 million revenue from the yield of the gasoline tax increase for the Motor License Fund.

An additional piece of legislation on this calendar today would also allocate to the political subdivisions the proportionate share of the money from the one cent gasoline tax increase that these two pieces of legislation would provide in the Motor License Fund.

The questions that should be answered is the need for additional gasoline tax increase, in the Commonwealth of Pennsylvania, can best be stated in general terms.

There are approximately 4,000 bridges located in 66 of the 67 counties in Pennsylvania that need to be replaced, widened, straightened, that at the present time are limited as to their carrying load, which should be replaced to take care of the modern traffic or the traffic that exists on these bridges.

There are 21,000 miles of 100 per cent state highways in the Commonwealth of Pennsylvania's highway system. This 21,000 miles of road needs to be in every county in Pennsylvania or, rather, in 66 of the 67 counties. There

is mile after mile that needs to be replaced, resurfaced, widened, or straightened out.

The so-called Pinchot roads of a bygone day that have served their purpose so well, have served for a great number of years, are the little rural roads, the farm to market road, that need to be replaced and on which there has been a very light highway program for the replacement in this field. The proposed gasoline tax increase to the Motor License Fund for the operation of our Department of Highways for the present biennium is so badly needed that no one can dispute that from their county, anyone of the 66 counties, they have requests in the Department of Highways for either replacement of existing 100 per cent roads for rewidening, surfacing, or betterment of the existing highways, as I mentioned, from the 21,000 mile, 100 per cent state highway system in Pennsylvania.

I, at no time, have mentioned the fact that there are over 40,000 miles of highway system in Pennsylvania, but the balance of the highway system in Pennsylvania falls within the scope of the Federal interstate system or the Federal A. B. C. program, which means that Federal funds can be used and are used in projects on those particular roads.

For many weeks we have talked about highways, and for many years we have discussed highways. The greatest thing we can do in Pennsylvania is to continue to build our modern highway program and then also to build under that 100 per cent state program that all of us have such a deep interest in, an interest of which many of you have spoken about to the Secretary of Highways and to various Members of this House, in regard to roads in your respective district.

What does the Secretary of Highways intend to do with this money? I think you will find the answers clearly defined in the reports which were given to the various Members of this House indicating clearly that 95 per cent of this additional revenue will be clearly earmarked for the 100 per cent state program, that in the present biennium 300 of the 4,000 bridges, because there are over 4,000 that need to be replaced, that in the existing Pinchot roads, program after program of resurfacing to protect these highways or betterment of the surfaces, which is 100 per cent state cost, and each county has requested numerous such projects in their respective county.

In the Federal field, or in the Federal highway program, at the present time and in the present year, the budget that you have before you indicates that there are \$30 million, approximately, earmarked for this program, not knowing what the Federal government may or may not do. Thirty million dollars would clearly be \$27 million Federal money and \$3 million state money. This would be an absolute minimum that could be adjusted depending upon what Congress of the United States may do in the field of Federal highway programs.

In addition to this one cent gasoline tax for the 100 per cent state highway program and the replacement of bridges that we plead and ask for, there is also the legislation which would allocate the additional percentage of money to the political subdivisions. In every county in Pennsylvania, in every political subdivision that you and I represent, the figures are here as to the approximate increase of funds that would go to your township, your borough, or your city, an increase in which the fathers



of your various communities, the commissioners or the councilmen also need the money to take care of their street or road projects which fall under their jurisdiction and scope of repair or replacement.

This is the type of legislation that, without a doubt, implies the carrying of the platform pledges for an efficient highway system, and certainly to provide the revenue needed to operate the state government. It is our honest belief that one cent gasoline increase does not have any objectionable features with the citizens of Pennsylvania; that they are in favor of the necessary gasoline tax increase to insure the construction of the highways that they are also interested in for their respective counties.

This is the type of legislation that we in both Democratic and Republican circles agree is needed, for we certainly do not disagree that a vigorous road building program must be carried on in Pennsylvania and be expanded. This is the type of legislation that we can support. One cent gasoline tax increase, an increase in which the small average person who only drives 10,000 miles a year pays how much? A very minimum amount by the fact that if his car gets 15 miles to the gallon and he drives 10,000 miles a year, he has paid an additional five, six, seven dollars a year, depending upon the mileage that he has driven his car. It is a bona fide user's tax, those that use will pay. When you and I travel 100,000 miles a year we will pay our additional share of a tax that really and truly is a users' tax, a tax of which the trucking industry certainly will pay its great, great major share, for they are the heavy users of our fuel consumption for our vehicles, depending upon our field of business or private life, who will pay accordingly. It is really a tax to which no one objects because those that use, pay, a sound, sensible tax program to insure the field of construction of, and again I repeat, that which has long been neglected, the 100 per cent state highway program and bridge program of this Commonwealth.

I urge every Member of this House, Republican or Democrat, to bind themselves together and vote for the passage of this measure and the companion bill in this package.

Mr. A. W. JOHNSON. Mr. Speaker, I find myself in one of the rare occasions when I get up to resist a tax program. I think you will find that in my career here I have pretty much supported taxes to finance our state government. We have pretty thoroughly discussed this gasoline tax and the extra fee on operators' licenses in our House Republican caucus, and at this point we are pretty soundly of the opinion that we should not vote for these taxes at this time.

We have been here since January, and we very early received word, as I have said here before, that the bank account of the state would be overdrawn unless we borrowed from the Motor License Fund. We soon received word that there was a deficit left on Governor Lawrence's doorstep by the preceding administration of \$178 million, which has been reduced to \$141 million.

Then along came the Governor's budget for the General Fund in which he asked for not only the \$178 million, later reduced as I stated, but he wanted around \$280 million increase in the budget over that of the recent Governor Leader. Then along came this highway budget seeking an increase of \$117 million in taxes for the Motor License Fund. I understand they are going to put in an

unemployment compensation bill this week which will raise the payroll tax by about one percent to bring in I don't know how many hundred million dollars in the next biennium. Then, besides, this week you are going to ask us to vote for an amendment to the Constitution permitting this General Assembly to put on a graduated income tax. I am just pointing this out to you as I am wondering whether this Session will not go down in history as one of the most tax-minded Sessions in the history of Pennsylvania.

Instead of that song that goes "Kiss me once, kiss me twice and kiss me once again," you could say "Tax me once, tax me twice and tax me once again" is the Democratic line. I could really sing you quite a song on it.

I am just pointing this out as a little background to what I am going to say to you. I am not saying this in derision or anything; I am just kind of summing up into a nutshell what the Session has portrayed to date.

I know we have put on a 4 percent sales tax, and some of us on this side voted for it. We have gone over the General Fund budget and we know that in many of those categories that money is absolutely needed for the bare minimum services of the state.

Let us go to this gasoline tax increase. I think it would be wonderful if they would repair all those bridges and do all the road jobs that you are talking about, if the Department was able to do it in this biennium. That goes without saying. I am just wondering, with the staggering load we are putting on the taxpayers of Pennsylvania, that we will have to put on them for the bare necessities of this Session, whether the people can carry it, whether they can stand what we are being asked to put on the people.

Let us get back to the \$117 million increased taxes which the Governor requested for the Motor License Fund. Many of us on this side attended the hearings when the Secretary of Highways came before the Appropriations Committee and requested the extra \$117 million. That was on Monday night, the 8th of June, 1959. We pretty thoroughly cross examined the Secretary of Highways, whom I consider a very fine, high type gentleman, and got some answers from him which I am going to point out to you here today.

For instance, of the \$117 million increase, the general public was led to believe, and I am not saying there was anything wrong about it, but everybody thought that we had to have these extra taxes or we would lose Federal funds. Through cross examination of the Secretary we found that out of the Motor License Fund this biennium, in order to get every dollar of Federal aid, we would have to put up a total of \$88.2 million, which is \$16 million more than last biennium. In other words, last biennium it cost us \$72 million to match Federal aid, this biennium it is going to cost us \$88.2 million. So that of the \$117 million new money needed, only \$16 million of it would be required to match all the Federal aid we could get.

By the way, we should commend our Highway Department, for Federal aid will total the sum of \$332.7 million. This is a lot of money to be spent on the interstate system and on the 50-50 Federal aid roads. I am pointing out that of the \$117 million in new taxes demanded, only \$16 million is required for Federal aid.

Continuing the hearing, we said to the Secretary, well, this is the 8th of June; the paper you are reading from



tonight gives the same bank balance that you estimated you would have last April as of May 31. He was asked, Hasn't the picture changed? He turned to his comptroller and the comptroller said no, not appreciably because the liabilities have gone up, we have a little more money, and one offsets the other.

Apparently Governor Lawrence did not know what was said on Monday night because on Wednesday after we left town Governor Lawrence announced from his office that he had found \$35 million in the Motor License Fund, and instead of wanting \$117 million he only needed \$82 million, or a drop of \$35 million.

All right. I say now to you people who are in the territory that if the shortway goes through, I know you are wondering whether you are going to get all the Federal aid for that road. I would like to see it built as rapidly as possible, even though I favored Route 6 because I come from that territory, and tried to have Route 6 made the interstate system, but once it was decided that it was the shortway, I am the kind of person who is for it after the decision is made, and will do all I can to see that the shortway is built immediately. But in order to get all the Federal money that will be available for the shortway, as I say, you only need \$16 million extra, and you can take that out of the \$35 million the Governor found. That means there is \$19 million available for distribution for these other items that Mr. McCann has talked about which probably should be fixed.

So I hope I have shown you people who are in the shortway area that you should not be misled by stories that there will not be money to match Federal funds, because there will be ample funds to match the Federal funds, even within the purview of this present budget.

Just to show you what is taking place with respect to our Highway Department, and what the picture is. In the 1955 biennium, the first biennium of Governor Leader, he asked only \$462 million to be spent by the Highway Department. The figure jumped in the 1957 biennium to \$748 million, or an increase of \$220-some million. And now for this biennium, if we do not put on these taxes today, but with the \$35 million that has been found, there will be \$900 million coming into the Highway Department to be spent for the various items that are requested in the budget.

It seems to us on this side of the House the Federal government is most assuredly going to put on the extra penny, and from what newspaper reports say, it will represent an increase in Federal aid but it will not represent an increase in Federal aid until the 1961 fiscal year, starting June 30, 1961. Therefore, from what we understand, the Federal aid that is in this budget will all be available from existing money, and if you take \$16.5 million out of the \$35 million, you have the money to match this very critical Federal aid program.

If the federal government puts on another penny gas tax, that is about a \$60-some million tax that is going to be put on the backs of the people of this state, which adds, of course, to the burden of life here in Pennsylvania. I am saying to the Highway Department, here is the budget; if you do not get this money today, here is \$900 million. It is \$150 million more than was available in the '57-'59 biennium, according to the Special Fund budget. For the balance of this period, with this money, I believe you can do a good, sound job in this state. You spent

some \$94 million on 100 percent state roads in the last biennium. You spent some \$70 million, I believe, in the previous biennium, or an increase of \$24 million. I am just wondering whether by good husbandry and sound planning that \$94 million will not pretty much cover the job to be done with the available plans you have and what you have in store.

I know this is a critical item, it is one that is being handed out as bait—if you vote for this, there is \$30 million more that is going into 100 percent state roads.

I want to say this, here is what is wrong with this whole situation. We are handed this budget by the Secretary of Highways. It probably is honestly prepared, but the trouble with it is, we, as Members of this General Assembly, do not have anything to say about the budget. The budget is only for information purposes. It is binding on nobody. It is not the result of a bill passed by this Legislature in any way, shape or form.

We have given the Highways Department a blank check to spend this money any way it wants to, and if the threats are carried out that were made to various Members and that were made to me, that the vote of the Members will be watched as to where the roads are built, on their side of the House, you can bet this \$94 million for 100 percent state roads will be pretty well sprinkled out in the counties where you got votes for this additional gas tax. Even though the \$4 million is in present existing money, these Members on this side do not like a sledge hammer like that on their heads.

Here is another thing, when we had this hearing and Secretary Martin was called in, I reported the next Monday to our caucus as I do as a Floor Leader. There was a motion made in caucus that I write a letter to Secretary and ask him for a statement concerning if he got this revenue where would the roads be built in the next two years and the next four years. I wrote that letter to the Secretary. He did send me a compendium, a history, of what is being done up to this date. I grant you, that there has been resurfacing done and this and that done. Then his letter merely said by way of summary, if you give me this money and I will spend this total on 100 percent, I will do this and I will do that. We did not get a breakdown of how many roads are going to be built in Delaware County or what is going to be done in my own county—not that it makes any difference one way or another as far as I am concerned—but it would be interesting to know what work would be done in all the several counties in the Commonwealth if the tax should pass. We did not get that. Maybe that was an unreasonable request to the Secretary of Highways. I do not know. Maybe it was something that he could not give us, but if they have the plans ready and can start this program when we give them the money, he could have said of the \$124 million for 100 percent state roads we have the following plans ready in the following counties totalling so much and this is what we expect to do. But I did not get any such a statement, nor did any other Member on this side of the House.

By way of summary of what I have said, this is a tax Session, I am sorry to say. We are loading on the backs of the people of this state the greatest budget in the General Fund in all history, we have to make up the greatest deficit in all history, we are apt to make the sales tax the highest of any state in the union, and, in addition,



we are being asked to put another penny on the gas tax.

I say this, let us try to live within this \$900 million. Let us build roads for the people back home and let us cut out a lot of these fancy by-passes like they are building up at Amity Hall, costing millions and millions of dollars. I do not know whether it was necessary or not. Maybe up there you could have got along with just a bridge over the Juniata River instead of spending all the money you did in that beautiful valley up there at Amity Hall. It seems to me that was an unreasonable expenditure at this time when we need the roads throughout Pennsylvania. You could have built a lot of roads for the funds that have gone into that by-pass in that beautiful valley. I am just saying this, I feel, and our caucus feels the same way, that in the framework of this \$900 million with sound planning, good husbandry, you could get along very well and do a colossal job in this state.

Mr. McCANN. Mr. Speaker, will the gentleman from McKean permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, Will the gentleman from McKean inform the House whether he is in favor of the continuance of the Federal interstate A. B. C. program to the full, matching of every dollar that is possible for Pennsylvania, both now and next year whatever Congress may do?

Mr. A. W. JOHNSON. I will make an answer and explain it, if that is permissible.

To repeat, I am for this 90 percent interstate system. As I said, I am for the Keystone Shortway. I would rather have had it up on Route 6, but as long as the Shortway is it, I am for it and I want to see it built. The figure of \$332 million which is in this budget and which is all the money that you are going to get will require \$88 million matching on the state level or \$16 million more than last biennium, and if you take it out of the \$35 million, you have it.

To answer your question then I say, yes, I am for it a thousand percent.

Mr. McCANN. That is good, Mr. Speaker.

Now would the gentleman tell us if you are in favor of that program which I believe the prior records would show that you are, in prior Sessions even, are you then also in favor of the additional state program, 100 percent state program, for the bridges and the legislative roads, 21,000 miles that can not be at any time in the present Federal scope a part of the matching funds?

Mr. A. W. JOHNSON. Mr. McCann, I will answer that and also explain the answer.

I would say, yes. I was pleased to see that on the 100 percent roads in the 1955 session you spent some \$70 million on them and you spent \$94 million last biennium. I grant you that if you do not get this money you are going to spend the \$94 million and about \$18 million of the \$35 million that would be left after you have matched Federal funds. Where are you going to get more money? You could get more money in this way—

Mr. McCANN. Mr. Speaker, will the gentleman answer the question?

Mr. A. W. JOHNSON. I have answered the question, and I am answering it by telling you I am in favor of what you say and I am asking you where you are going to get the money to do it. There is an item in the budget

showing you spent \$55 million last biennium for engineering firms. Mr. Martin says we are going to do a lot more engineering in our own highway district office but even so I want \$6.6 million more, or \$60.6 million for engineering. I just wonder whether we cannot again in this state get back to where we build up the strength of our district offices, get them so that they can design roads, survey them, have them drafted in those district offices and I believe we could save substantial sums of money right in that one category.

You want \$12 million more for administration this time. I do not know what that is for. It has been explained that I believe they are going to jump administration from \$94 million to \$106 million or something like that. I think you can make a saving there.

I pointed out that in Berks County, they tell me, you have added materially to the office force and the personnel down there in the district office and in the local office. I say there are savings that can be made which could be used for the items that you mentioned.

And here is another thing. You have money in the budget to do quite an adequate job on bridges and 100 percent state roads anyhow, even without this contemplated increase. Then if you have the savings which I talked about I believe you can do a job based on the ability of the department.

Mr. McCANN. Mr. Johnson, would you inform the House then, of course, the figures you read you do not read out of the Motor License Fund Budget, because if you read on Page 8 carefully, the increase in administration is \$17 million in 1957-59, 1959-61 recommended, if you read very carefully, \$21,566,131 or \$4,566,000 increase. Now then, page 8, the administration very carefully outlined—

Mr. A. W. JOHNSON. The item I was thinking about, pardon me, I was confused between road maintenance and administration.

Mr. McCANN. That is correct.

Mr. A. W. JOHNSON. In other words, though, the administration has gone up from \$12 million in the 1955 Session to \$21 million contemplated this Session pretty nearly double.

Mr. McCANN. Now, Mr. Johnson, again I ask you to tell the House your opinion, and the position of your party, in other words, whether the amount of money allocated for the 100 percent state program you think is sufficient and that then there should not be more money to do this bridge program and the 100 percent state road program, that this one-cent gasoline tax is clearly earmarked for, and you know in the investigation and in the hearings that this is what this request was for? Do you believe then that there should not be anymore in this field in the present biennium in Pennsylvania?

Mr. A. W. JOHNSON. I believe if you take the \$94 million that you have allocated for 100 percent state roads last biennium, add to it \$18 million left out of the \$35 million, which will give you, 94 and 18 is \$112 million, that with that sum of money properly handled and done on a contract basis and not expensively by the Highway Department, I believe that will go a long way to doing just about all the work you can do with what plans you have ready and what you can do this biennium.

Mr. McCANN. Mr. Johnson, is it also your position that the approximate \$12 million that would go to the



political subdivisions in the respective counties of Pennsylvania, that you do not believe that they should also have this increase? For example, is it fair to say that you come from McKean County, that you are the Representative, and that McKean County will get \$71,500 more than they got before but that they should not have this money?

Mr. A. W. JOHNSON. Mr. McCann, let me tell you something. That is naturally a very critical political item. You have got the bill riding on this calendar, 1887, which does the very thing which you are saying. It is one of those things that sweeten the pot and makes it hard to vote against the penny gas tax. I grant you that. I would say that most municipalities could spend that money and do an excellent job in spending it. The question is whether we should ask the taxpayers of Pennsylvania to reach in their pockets and provide the money at this time. I am not saying that the municipalities could not spend that money and spend it wisely.

I think you will find the gift of my argument is that with the staggering load that we are asking the taxpayers to pay right now, I am just suggesting that with \$900 million if the Highway Department would re-appraise their whole program, they certainly ought to be able to do a good job with that amount of money, particularly when only \$300 million of it approximately is for the Federal system. That would leave—

Mr. McCANN. Well, Mr. Johnson, can we assume then that you are not against it, and you are not for it?

Mr. A. W. JOHNSON. I am going to vote against the tax.

Mr. McCANN. All right. Mr. Johnson, I am sure that you are aware of the situation of the maintenance buildings in Clarion, McKean and Sullivan Counties, and I believe that is in the northern tier area? You are aware of the estimated cost of fixing these buildings of which \$1,762,380 is to be expended during the present biennium?

Mr. A. W. JOHNSON. Mr. McCann, there again you are putting your finger on soft spots. You are singling out fellows from up in the northern counties. The role of the person who wants to save taxes is hard, I will say that. Now, let me tell you something. I believe you have \$16 million in the budget for service operation.

Mr. McCANN. That is correct.

Mr. A. W. JOHNSON. Last biennium it was \$8 million.

Mr. McCANN. That is correct.

Mr. A. W. JOHNSON. I know that out of that extra \$8 million you plan to build some new highway barns and beautiful buildings.

Mr. McCANN. Would you agree that you also know where they are to be built?

Mr. A. W. JOHNSON. I realize that some of them will be built up in the northern tier. That is correct. That is right, but I am wondering again whether we should put the load on the people at this time in view of what we have already done and in view of some other things that are going to be very costly to the school districts back home and to everybody.

Mr. McCANN. Mr. Johnson, the reason I led into these questions, you quite well know that I am not an attorney, but first you said that the Secretary of Highways does not tell us what he is going to do. Now I ask you carefully, who passed the law that says he is to program this

and not outline point by point, road by road, so that there would be no log-rolling?

Mr. A. W. JOHNSON. I would say the General Assembly backed whenever that ear-marking amendment passed, and it probably was Republican-controlled. I can not say.

Mr. McCANN. Mr. Johnson, of course, the record would show that it was, and may I say that is the way it should be. I should have a right to know what Greene County will get, that I can come in here and ask that you outline every road for McKean County, that you outline every road that is going to be in this project, but the Secretary of Highways has divided it equally as needed all over the Commonwealth and that piece of law that you passed is on the books is as it should be.

Mr. A. W. JOHNSON. May I answer that?

Mr. McCANN. Yes, sir.

Mr. A. W. JOHNSON. First, with respect to the present law wherein the General Assembly does not have the power to appropriate according to counties and according to need, we have felt on this side for a good many bienniums that that law was a mistake, but try and get it repealed. No Governor today is going to be deprived of that extraordinary power that we placed in his hands. That goes without saying. You were justifying the act that is law and you say that we should be entitled to know for two years in the next biennium where these roads should be built.

Mr. McCANN. Meaning each of the roads, each project? The answer to that we say is no, and we believe you agree.

Mr. A. W. JOHNSON. No, we feel, Mr. Speaker, that in view of the estimates by other departments that they want \$124 million for 100 percent state roads, they know where that money is going to be spent, they know what road it is going to be, and they must have known or they couldn't have arrived at the figure of \$124 million.

Mr. McCANN. Mr. Johnson, could I ask you this? You are in receipt of a report as of June, a copy of which was furnished to you listing every project of every type in Pennsylvania, in every county.

Mr. A. W. JOHNSON. That is being done at the present time.

Mr. McCANN. You have it in your possession and a revised report, of course, would be available now, because at that time there was 1668 projects in operation, now there are 1699, so it would have to be revised. But I ask you when you checked this report, and you looked up county after county, did you find anything in the report that would lead you to believe that if the county was Democrat or Republican the projects were there?

Mr. A. W. JOHNSON. I would say, Mr. McCann, that in examining the report there is a pretty general sprinkling of roads where work is being done all over the Commonwealth. That is correct.

Mr. McCANN. I believe that would certainly be a correct statement.

Mr. A. W. JOHNSON. That is right.

Mr. McCANN. Now, a moment ago you said that the Secretary of Highways, in an Appropriation Committee hearing, made a threat or held a hammer over your head. Now, would you be kind enough to just bring that to the light of day, because I remember distinctly what was said.

Mr. A. W. JOHNSON. Well, now let me tell you, there was a recording made of it and I suggest that you go get the recording and play it.

Mr. McCANN. Do you not agree when the Secretary of Highways on a recording was discussing the additional gasoline tax and it was discussed about voting for the tax, that the Secretary of Highways in a joking manner said, you were there, I will certainly consider those who voted for it. He smiled and laughed, isn't that right? It is on the record.

Mr. A. W. JOHNSON. Maybe that is what he said. Many a serious thing is said in jest.

Mr. McCANN. Would you call that the threat that you speak of?

Mr. A. W. JOHNSON. No, I would say that is part of it and I would not want to devulge what was said in our Caucus but—

Mr. McCANN. No, I am not talking about the Caucus.

Mr. A. W. JOHNSON. There were some other expressions made which I will not repeat at this microphone.

Mr. McCANN. Well you see, Mr. Johnson, what you said in your Caucus is immaterial, what was said on the disc was recorded.

Mr. A. W. JOHNSON. That is right.

Mr. McCANN. And that is what was said, sir.

Mr. JOHNSON. That is right.

Mr. McCANN. Now, then, Mr. Johnson, I think you can say that you know the Secretary of Highways about as well as I know him. I know of him. I know his name and I knew his reputation before he was Secretary. I heard you say that you consider him a fair and honest man. Is that right?

Mr. A. W. JOHNSON. I said that on my record. That is right.

Mr. McCANN. Right. Now, I know of no threat that he made. In fact, I know of road projects that have been approved of Members sitting on that side of the aisle, county by county, which God knows will never have a Democrat vote. Would you say there was any type of a threat could exist in the possibility of this particular program that this additional gasoline tax would provide?

Mr. A. W. JOHNSON. Mr. McCann, I would say in answer to that question, about the only way you are going to find out the answer to that is two years from now when you see just exactly what has taken place, I would say.

Mr. McCANN. Mr. Johnson, I thank you very kindly, sir.

Mr. Speaker, I believe it has been clearly outlined here that the Secretary of Highways, both of us can agree and all of us can agree, is a fair and honest man. He has never made any threats and I do not know if he ever will make any.

I think that you can agree that when you study the report which was given to Mr. Johnson under date of June 23rd, 1959, a copy of which is in the office covering every county in Pennsylvania that you can check what is going on in your county, what type of project, the amount of money, the mileage, it is all there, he has it. A revised report will be there and I think that you will agree that the one cent additional tax is needed badly, that there are many counties in Pennsylvania particularly in the rural areas and yes, you, in the northern belt

and across the great parts of Pennsylvania where you have a lot of mileage of State highway that is purely one hundred percent. This is one time you can vote for a bill that is helping yourselves, a program that you all talked about that you want.

Mr. Speaker, I ask the support of every Member of this House in the passage of this legislation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. HELM, HOCKER, and TOMPKINS.

The roll was verified and was as follows:

## YEAS—108

Anderson,	Galley,	Meholchick,	Riley,
Arlene,	Gallagher,	Mihm,	Rovansek,
Balthaser,	Garlock,	Mills,	Rudisill,
Blair,	Gelfand,	Monroe,	Sakulsky,
Boles,	Hamilton,	Muldowney,	Scarcelli,
Bonner,	Heavey,	Mullen,	Schaaf,
Branca,	Holt,	Munley,	Schuster,
Burns,	Irvis,	Murphy, A. J., Jr.	Schwartz,
Capano,	Jenkins,	Murray, J. J.,	Sherman,
Capitolo,	Jim,	Musto,	Shupnik,
Cianfrani,	Jones, F. R.,	Needham,	Silverman,
Cioffi,	Kamyk,	Nelson,	Snider,
Clarke,	Kornick,	O'Dell,	Stank,
Comer,	Kovolenko,	O'Donnell, J. A.,	Stone,
Crossin,	Lamb,	O'Donnell, J. P.	Taylor,
Curwood,	Lee, K. B.,	O'Neill,	Trusio,
Dennis,	Leonard,	Parlante,	Varallo,
Devlin,	Limper,	Pashley,	Verona,
Dougherty,	Lopresti,	Perry, H. H.,	Walsh,
Eilberg,	Luigard,	Perry, P. E.,	Wargo,
Farabaugh,	Lutty,	Petrosky,	Welsh,
Filo,	McCann,	Polaski,	Wheeler,
Fineman,	McCormack,	Polen,	Yatron,
Floyd,	McDonald,	Prendergast,	Yetter,
Flynn,	McLaughlin,	Reibman,	Zimmerman,
Foerster,	Machmer,	Reidenbach,	Andrews,
Frank,	Maxwell,	Renwick,	Speaker
Frascella,			

## NAYS—87

Agnew,	Gibb,	Lee, A. M.,	Stevens,
Ashton,	Goldstein,	Light,	Stewart,
Auker,	Goodrich,	Lippincott,	Stimmel,
Boris,	Gramlich,	McCandless,	Stoner,
Bower,	Heffner,	McInroy,	Strausser,
Bowman,	Helm,	Magee,	Stroup,
Brenninger,	Henzel,	Mahan,	Tompkins,
Buchanan,	Hocker,	Markley,	Ujobai,
Davis,	Holliday,	Merry,	Varner,
Dengler,	Horst,	Miller, B. Z.,	Wall,
Dennison,	Johnson, A. W.,	Miller, H. G.,	Weidner,
Donahue,	Johnson, R.,	Murphy, P. J.,	Wescott,
Donaldson,	Jones, T. H. W.,	Murray, H. P.,	Whittaker,
Down,	Jump,	Murray, P. G.,	Williams, A. D., Jr.,
Edwards,	Kee,	Naugle,	Williams, E. S.,
Eshback,	Kelser,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Price,	Willaredt,
Ewing,	Kessler,	Pursley,	Wilt,
Fetterolf,	Knecht,	Rigby,	Wood,
Fox,	Kooker,	Royer,	Worley,
Fulmer,	Korna,	Seltzer,	Wynd,
George,	Kubitsky,	Steckel,	

## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.



Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1593, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) increasing the permanent State tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—108

Anderson,	Galley,	Meholchick,	Riley,
Arlene,	Gallagher,	Mihm,	Rovansek,
Balthaser,	Garlock,	Mills,	Rudisill,
Blair,	Gelfand,	Monroe,	Sakulsky,
Boles,	Hamilton,	Muldowney,	Scarcell,
Bonner,	Heavey,	Mullen,	Schaaf,
Branca,	Holt,	Munley,	Schuster,
Burns,	Irviss,	Murphy, A. J., Jr.	Schwartz,
Capano,	Jenkins,	Murray, J. J.,	Sherman,
Capitolo,	Jim,	Musto,	Shupnik,
Cianfrani,	Jones, F. R.,	Needham,	Silverman,
Cioffi,	Kamyk,	Nelson,	Snider,
Clarke,	Kornick,	O'Dell,	Stank,
Comer,	Kovolenko,	O'Donnell, J. A.,	Stone,
Crossin,	Lamb,	O'Donnell, J. P.	Taylor,
Curwood,	Lee, K. B.,	O'Neil,	Trusio,
Dennis,	Leonard,	Parlante,	Varallo,
Devlin,	Limper,	Pashley,	Verona,
Dougherty,	Lopresti,	Perry, H. H.,	Walsh,
Ellberg,	Luigard,	Perry, P. E.,	Wargo,
Farabaugh,	Lutty,	Petrosky,	Welsh,
Filo,	McCann,	Polaski,	Wheeler,
Fineman,	McCormack,	Polen,	Yatron,
Floyd,	McDonald,	Prendergast,	Yetter,
Flynn,	McLaughlin,	Reidman,	Zimmerman,
Foerster,	Machmer,	Reidenbach,	Andrews,
Frank,	Maxwell,	Renwick,	Speaker

## NAYS—87

Agnew,	Gibb,	Lee, A. M.,	Stevens,
Ashton,	Goldstein,	Light,	Stewart,
Auker,	Goodrich,	Lippincott,	Stimmel,
Boris,	Gramlich,	McCandless,	Stoner,
Bower,	Heffner,	McInroy,	Strausser,
Bowman,	Helm,	Magee,	Stroup,
Brenninger,	Henzel,	Mahan,	Tompkins,
Buchanan,	Hocker,	Markley,	Ujobai,
Davis,	Holliday,	Merry,	Varnier,
Dengler,	Horst,	Miller, B. Z.,	Wall,
Dennison,	Johnson, A. W.,	Miller, H. G.,	Walsh,
Donahue,	Johnson, R.,	Murphy, P. J.,	Waldo,
Donaldson,	Jones, T. H. W.,	Murray, H. P.,	Weldner,
Down,	Jump,	Murray, P. G.,	Welsh,
Edwards,	Kee,	Naugle,	Wescott,
Eshback,	Kelser,	Ogilvie,	Wheeler,
Eshleman,	Kernaghan,	Price,	Whittaker,
Ewing,	Kessler,	Pursley,	Williams, A. D., Jr.,
Fetterolf,	Knecht,	Rigby,	Williams, E. S.,
Fox,	Kooker,	Royce,	Willard,
Fulmer,	Korns,	Seltzer,	Willardt,
George,	Kubitsky,	Steckel,	Wilt,

## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1887 on page 13 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1887, entitled:

An Act amending the act of June 1, 1956, (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and townships for their road, street and bridge purposes" increasing and changing the appropriation out of the Motor License Fund and continuing a conditional appropriation beyond the calendar year 1959.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Agnew,	Galley,	McCormack,	Rudisill,
Anderson,	Gallagher,	McDonald,	Sakulsky,
Arlene,	Garlock,	McInroy,	Scarcell,
Ashton,	Gelfand,	McLaughlin,	Schaaf,
Auker,	George,	Machmer,	Schuster,
Balthaser,	Gibb,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Hamilton,	Maxwell,	Shupnik,
Boris,	Heavey,	Meholchick,	Silverman,
Bower,	Heffner,	Merry,	Snider,
Bowman,	Helm,	Mihm,	Stank,
Branca,	Henzel,	Miller, B. Z.,	Steckel,
Brenninger,	Hocker,	Miller, H. G.,	Stevens,
Buchanan,	Holliday,	Mills,	Stewart,
Burns,	Holt,	Monroe,	Stimmel,
Capano,	Horst,	Muldowney,	Stone,
Capitolo,	Irviss,	Mullen,	Stoner,
Cianfrani,	Jenkins,	Munley,	Strausser,
Cioffi,	Jim,	Murphy, A. J., Jr.	Stroup,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Comer,	Johnson, R.,	Murray, H. P.,	Tompkins,
Crossin,	Jones, F. R.,	Murray, J. J.,	Trusio,
Curwood,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Davis,	Jump,	Musto,	Varallo,
Dengler,	Kamyk,	Naugle,	Varnier,
Dennis,	Kee,	Needham,	Verona,
Dennison,	Kelser,	Nelson,	Wall,
Devlin,	Kernaghan,	O'Dell,	Walsh,
Donahue,	Kessler,	O'Donnell, J. A.,	Wargo,
Donaldson,	Knecht,	O'Donnell, J. P.	Weldner,
Dougherty,	Kooker,	Ogilvie,	Welsh,
Down,	Kornick,	O'Neil,	Wescott,
Edwards,	Korns,	Parlante,	Wheeler,
Ellberg,	Kovolenko,	Pashley,	Whittaker,
Eshback,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lamb,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, A. M.,	Petrosky,	Willard,
Farabaugh,	Lee, K. B.,	Polaski,	Willardt,
Fatterolf,	Leonard,	Polen,	Wilt,
Filo,	Light,	Prendergast,	Wood,
Fineman,	Limper,	Pursley,	Worley,
Floyd,	Lippincott,	Reidman,	Wynd,
Flynn,	Lopresti,	Reidenbach,	Yatron,
Foerster,	Luigard,	Renwick,	Yetter,
Fox,	Lutty,	Riley,	Zimmerman,
Frank,	McCandless,	Rovansek,	Andrews,
Frascella,	McCann,	Royer,	Speaker

## NAYS—3

Goldstein	Price,	Rigby,
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## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 169 on page 6 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 169, entitled:

An Act amendig the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and acts relating to the ownership possession and use of vehicles and tractors" providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

On the question,

Will the House agree to the bill on third reading?

Mr. FRASCELLA asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, thirteenth line of Title by striking out "(ACT NO 32)" and inserting: "(P. L. 58)."

Amend Title, page 2, next to last line of Title, by striking out "of TWO years."

Amend Sec. 1, page 3, line 2 by striking out "(ACT NO 32)" and inserting: "(P. L. 58)."

Amend Sec. 1 (Sec. 615) page 3, lines 6 and 7 by striking out the brackets before and after "year" and striking out "period of TWO years."

Amend Sec. 1 (Sec. 615), page 3, line 10 by striking out "SECOND."

Amend Sec. 1 (Sec. 717), page 5, line 6 by striking out "PER YEAR."

Amend Sec. 1 (Sec. 717), page 6, line 5 by striking out "TWO YEAR" and inserting: "revised."

Amend Sec. 3, page 6, line 7 by striking out "3" and inserting: "2."

Amend Sec. 3, page 6, lines 8 to 14 by striking out "THE OPERATOR'S LICENSE FOR A TWO YEAR PE-" in line 8 and all of lines 9 to 14.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The amendments will do as follows, the present bill calls for a biennial license, the issuing of an operator's license once every two years at an increase of from one to three dollars. This will make the license once each year at a period of three years.

Mr. Speaker, I made a slight error. I guess I said amended to three years. I beg your pardon, it amends once each year, three dollars per year.

It would be the same as it is now in which the license would be issued annually except the present rate of one dollar would be three dollars. The present bill says biennial.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2264 on page 18, of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Tn the question,

Shall the bill pass finally?

Mr. HEFFNER. Mr. Speaker, this is the third bill of a package of bills which came out of the Special Investigating Committee of the House and Senate of the Knox Disaster in Luzerne County.

I rise to ask the Members on both sides of the House to vote for this bill and the entire package. I feel as if our mines will be made safer when we pass these bills in Pennsylvania.

I also, at this time, would like to commend the members of that Committee who spent countless hours, many days and many months, outside of this House, investigating this disaster. They were a fact-finding committee. I believe they have done their work well and have given us a package of recommendations by these bills today, which I feel, as I said previously, will make our mine laws more safe in Pennsylvania.

I ask the full support of all the Members of the House on these bills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—195

Agnew,	Galley,	McCormack,	Royer,
Anderson,	Gallagher,	McDonald,	Rudisill,
Arlene,	Garlock,	McInroy,	Sakulsky,
Ashton,	Gelfand,	McLaughlin,	Scarcell,
Auker,	George,	Machmer,	Schaaf,
Balthaser,	Gibb,	Magee,	Schuster,
Blair,	Goldstein,	Mahan,	Schwartz,
Boles,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heavey,	Merry,	Silverman,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Buchanan,	Hocker,	Mills,	Stevens,
Burns,	Holliday,	Monroe,	Stewart,
Capano,	Holt,	Muldowney,	Stimmel,
Capitolo,	Horst,	Mullen,	Stone,
Cianfrani,	Irvis,	Munley,	Stoner,
Cioffi,	Jenkins,	Murphy, A. J., Jr.	Strausser,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.,	Taylor,
Crossin,	Johnson, R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, F. R.,	Murray, P. G.,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Ujobal,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Varnier,
Dennison,	Kee,	Nelson,	Verona,
Devlin,	Kelser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,



Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	O'Donnell, J. P., Oglvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odoriso,	Snare, Sullivan, Thompson,
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The majority required by the Consitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clierk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2265, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), creating and imposing duties on mine safety committees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Devlin, Donahue, Donaldson, Dougherty, Down,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Neil,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varnier, Verona, Walsh, Wargo, Weidner, Welsh,
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Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odoriso,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Hose Bil No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), changing the applicability of the act and the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspector's reports.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Devlin, Donahue, Donaldson, Dougherty,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Murray, H. P., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varnier, Verona, Walsh, Wargo, Weidner,
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Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2267, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price,	Royer, Rudisill, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood,
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Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	'Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley,	Royer, Rudisill, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley,
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Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2270, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) regulating the marking of the means of ingress and egress in mines.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Botes, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154) entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines" requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Blair, Botes, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—13

Barton,  
Bell,  
Breth,  
Brown,

Cooper,  
Guthrie,  
Isaacs,

McKeever,  
Moran,  
Odorisio,

Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 263 on page 2 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

## RECONSIDERATION OF VOTE

Mr. STIMMEL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. STIMMEL and STROUP asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "uniformity": "in certain cases."

Amend Sec. 1, page 3, line 1, by inserting after "laws": "No income tax on persons or corporations which is graded or graduated or which provide for exemptions may be enacted at the same time that a tax on the sale or use of personal property is being levied and collected."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Lehigh, Mr. Stimmel?

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. STIMMEL. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Lehigh tell us if the amendments offered by himself as they are written would prohibit both the enactment or having on the books a sales tax and an income tax, if the people voted in favor of such legislation—of such change in the Constitution, excuse me?

Mr. STIMMEL. I would say yes, Mr. Speaker.

Mr. McCANN. Mr. Speaker, would the gentleman tell the House clearly then that these amendments that came over here, just a moment ago, that these amendments when added to the bill in Section 1 of the Constitution,

when the people would be voting on this bill they would be voting if they favor such an item, if they had an income tax—a graduated income tax—then the sales tax would have to be repealed or abolished at the time the income tax was placed on the books?

Mr. STIMMEL. That is correct.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

Mr. STIMMEL. I have a brief statement, Mr. Speaker, on the reason I offered these amendments.

The amendments I have offered will place a Constitutional prohibition against having both the sales and the graduated income tax assessed at the same time on the people of our Commonwealth. Much has been said by the Democratic leadership to the end that the sales tax is Republican philosophy, and the graduated income tax is Democratic philosophy. On August 10, I voted for the right of self-determination by the public to express at the polls the type of tax they would prefer. Caption writers, however, of the newspapers have left a mistaken impression that the public is to be saddled with a graduated income tax forthwith, and quite possibly both the sales tax and income tax. To clearly and distinctly and without question avoid the possibility of both, I offer these amendments and I ask the support of the membership on both sides of the House.

Mr. McCORMACK. Mr. Speaker, as sponsor of the original resolution I want to say this on the gentleman's amendments; they certainly concur with my thinking and I believe they adequately and effectively portray the philosophy of the Democratic party. Certainly I, as a sponsor, am in accord with the amendment and I am going to vote in favor of it.

Mr. McCANN. Mr. Speaker, the amendments offered by the gentleman from Lehigh, Mr. Stimmel, our party has never caucused on such an amendment, but I believe that the thinking and the former debate on House Bill No. 263, would certainly lead me to believe that I am within my right, as the Floor Leader, to speak for the Democrats and say that we accept these amendments and do so graciously.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

Mr. AUKER. Mr. Speaker, just to keep the record straight I want the record to show that I voted against these amendments.

Mr. GOLDSTEIN. Mr. Speaker, I want to be recorded as voting no on these amendments for the reason that this is contrary to the fundamental policy of the Democratic party, which has stated time and again that the restrictive features of the Constitution are stumbling blocks against proper administration of the revenue measures of this Commonwealth.

They have now reversed their thinking for some unknown reason, because they think it is a good political thing. I want to be recorded as voting no. It is unsound legislation.

Mr. RIGBY. I want to be recorded as voting no on the amendments because I agree wholeheartedly with Mr. Goldstein's statement.

Mr. SHERMAN. Mr. Speaker, I voted yes for these amendments. If the gentleman, Mr. Goldstein, will recall, when the graduated income tax bill came to a vote the



last time, our Majority Leader did state on behalf of the Democratic Party that if they were to pass this graduated income tax bill there would be no need for the sales tax. Therefore, it is in accordance with the wishes of the Democratic party.

Mr. GOODRICH. Mr. Speaker, I want you to know that I am against the amendments for the reason that Pennsylvania presently receives about \$40 million in sales tax from out-of-state residents who pass through Pennsylvania. That includes the hotel occupancy tax. I think it would be altogether wrong for us to travel to Florida or west and pay taxes, and exempt those traveling from those states through Pennsylvania.

On the question recurring,

Will the House agree to the bill on third reading as amended?

Mr. LIPPINCOTT. Mr. Speaker, have we adopted the amendments at this point?

The SPEAKER. The amendments have been adopted.

Mr. LIPPINCOTT. Mr. Speaker, I would like to inter-rogate the Majority Leader, if I may.

Mr. McCANN. Mr. Speaker, I shall be glad to be inter-rogated.

Mr. LIPPINCOTT. I would like to ask the Majority Leader if he realizes the adoption of this constitutional amendment and the imposition of an income tax would thereby immediately eliminate taxes on liquor, on cigarettes and probably on gasoline and things like that?

Mr. McCANN. I am certainly aware of that and I am sure you are as confident as I am that we do not necessarily have to have a sales tax to place a tax on liquor.

Mr. LIPPINCOTT. But the gentleman would agree that it would eliminate the sales tax that would cover those items?

Mr. McCANN. Well, on the items that would be covered now by a bona fide sales tax,—that's what I asked Mr. Stimmel—they would be eliminated according to the amendments.

Mr. LIPPINCOTT. I thank the gentleman.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2315 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act" approved March 6, 1956 (P. L. 1256) increasing the rate of tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—112

Anderson,	Garlock,	Maxwell,	Rudisill,
Arlene,	Gelfand,	Meholchick,	Sakulsky,
Balthaser,	Goldstein	Mihm,	Scarcelli,
Boles,	Goodrich,	Mills,	Schaaf,
Bonner,	Hamilton,	Monroe,	Schuster,
Branca,	Heavey,	Muldowney,	Schwartz,
Burns,	Helm,	Mullen,	Sherman,
Capano,	Holt,	Munley,	Shupnik,
Capitolo,	Irlvis,	Murphy, A. J., Jr.	Silverman,
Cianfrani,	Jenkins,	Murray, J. J.,	Snider,
Cioffi,	Jim,	Musto,	Stank,
Clarke,	Johnson, A. W.,	Needham,	Steckel,
Comer,	Jones, F. R.,	Nelson,	Stevens,
Crossin,	Kamyk,	O'Donnell, J. A.,	Stimmel,
Curwood,	Kornick,	O'Donnell, J. P.	Stone,
Dennis,	Kovolenko,	Parlante,	Strausser,
Devlin,	Lamb,	Pashley,	Taylor,
Dougherty,	Leonard,	Perry, H. H.,	Trusio,
Eilberg,	Limper,	Perry, P. E.,	Varallo,
Farabaugh,	Lopresti,	Petrosky,	Verona,
Filo,	Luigard,	Polaski,	Walsh,
Fineman,	Lutty,	Polen,	Wargo,
Floyd,	McCann,	Prendergast,	Wheeler,
Flynn,	McCormack,	Reibman,	Wood,
Foerster,	McDonald,	Reidenbach,	Yatron,
Fox,	McLaughlin,	Renwick,	Yetter,
Frank,	Machmer,	Riley,	Andrews,
Frascella,	Markley,	Rovansek,	Speaker
Gallagher,			

### NAYS—81

Agnew,	George,	Lee, K. B.,	Royer,
Ashton,	Gibb,	Light,	Seltzer,
Auker,	Gramlich,	Lippincott,	Stewart,
Blair,	Heffner,	McCandless,	Stoner,
Boris,	Henzel,	McInroy,	Stroup,
Bower,	Hocker,	Magee,	Tompkins,
Bowman,	Holliday,	Mahan,	Ujobal,
Brenninger,	Horst,	Merry,	Varner,
Buchanan,	Johnson, R.,	Miller, B. Z.,	Wall,
Davis,	Jones, T. H. W.,	Miller, H. G.,	Weidner,
Dengler,	Jump,	Murphy, P. J.,	Weish,
Dennison,	Kee,	Murray, H. P.,	Whittaker,
Donahue,	Kelser,	Murray, P. G.,	Williams, A. D., Jr.,
Down,	Kernaghan,	Naugle,	Williams, E. S.,
Edwards,	Kessler,	O'Dell,	Willard,
Eshback,	Knecht,	Oglvie,	Willaredt,
Eshleman,	Kooker,	O'Neil,	Wilt,
Ewing,	Korns,	Price,	Worley,
Fetterolf,	Kubitsky,	Pursley,	Wynd,
Fulmer,	Lee, A. M.,	Rigby,	Zimmerman,
Galley,			

### NOT VOTING—15

Barton,	Cooper,	McKeever,	Sullivan,
Bell,	Donaldson,	Moran,	Thompson,
Breth,	Guthrie,	Odoriso,	Wescott,
Brown,	Isaacs,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 954 on page 2 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—167

Agnew,	Gallagher,	Mahan,	Sakulsky,
Anderson,	Garlock,	Markley,	Scarcelli,
Arlene,	Gelfand,	Maxwell,	Schaaf,
Auker,	George,	Meholchick,	Schuster,
Balthaser,	Gibb,	Mihm,	Schwartz,
Blair,	Goldstein,	Miller, B. Z.,	Seltzer,
Boles,	Hamilton,	Miller, H. G.,	Sherman,
Bonner,	Heavey,	Mills,	Shupnik,
Boris,	Heffner,	Monroe,	Silverman,
Bower,	Helm,	Muldowney,	Snider,
Branca,	Henzel,	Mullen,	Stank,
Buchanan,	Holliday,	Munley,	Steckel,
Burns,	Holt,	Murphy, A. J., Jr.	Stewart,
Capano,	Horst,	Murphy, P. J.,	Stimmel,
Capitolo,	Irvis,	Murray, H. P.,	Stone,
Cianfrani,	Jenkins,	Murray, J. J.,	Stoner,
Cioffi,	Jim,	Musto,	Strausser,
Clarke,	Jones, F. R.,	Naugle,	Stroup,
Comer,	Jump,	Needham,	Taylor,
Crossin,	Kamyk,	Nelson,	Trusio,
Curwood,	Kee,	O'Dell,	Trusio,
Dengler,	Kernaghan,	O'Donnell, J. A.,	Varallo,
Dennis,	Kessler,	O'Donnell, J. P.	Varner,
Dennison,	Knecht,	O'Neil,	Verona,
Devlin,	Kooker,	Parlante,	Walsh,
Donahue,	Kornick,	Pashley,	Walsh,
Donaldson,	Korns,	Perry, H. H.,	Wargo,
Dougherty,	Kovolenko,	Perry, P. E.,	Welsh,
Down,	Lamb,	Petrosky,	Wescott,
Ellberg,	Lee, A. M.,	Polaski,	Wheeler,
Eshback,	Lee, K. B.,	Polen,	Williams, A.D., Jr.,
Eshleman,	Leonard,	Prendergast,	Williams, E. S.,
Farabaugh,	Light,	Price,	Willard,
Filo,	Limper,	Pursley,	Wilt,
Fineman,	Lopresti,	Reibman,	Wood,
Floyd,	Luigard,	Reidenbach,	Worley,
Flynn,	Lutty,	Renwick,	Wynd,
Foerster,	McCann,	Rigby,	Yatron,
Fox,	McCormack,	Riley,	Yetter,
Frank,	McDonald,	Rovansek,	Andrews,
Frascella,	McLaughlin,	Royer,	
Galley,	Machmer,	Rudisill,	Speaker

## NAYS—28

Ashton,	Fulmer,	Kelser,	Murray, P. G.,
Bowman,	Goodrich,	Kubitsky,	Ogilvie,
Brenninger,	Gramlich,	Lippincott,	Tompkins,
Davis,	Hocker,	McCandless,	Ujobai,
Edwards,	Johnson, A. W.,	McInroy,	Weidner,
Ewing,	Johnson, R.,	Magee,	Whittaker,
Fetterolf,	Jones, T. H. W.,	Merry,	Willaredt,

## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1018, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) enlarging the power of cities to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities and from points without such cities to points within such cities.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—135

Anderson,	Garlock,	Mahan,	Royer,
Arlene,	Gelfand,	Maxwell,	Rudisill,
Balthaser,	George,	Meholchick,	Sakulsky,
Blair,	Hamilton,	Mihm,	Scarcelli,
Boles,	Heavey,	Miller, B. Z.,	Schaaf,
Boris,	Heffner,	Mills,	Schuster,
Bower,	Helm,	Monroe,	Schwartz,
Bowman,	Holt,	Muldowney,	Seltzer,
Branca,	Horst,	Mullen,	Sherman,
Burns,	Irvis,	Munley,	Shupnik,
Capano,	Jenkins,	Murphy, A. J., Jr.,	Silverman,
Capitolo,	Jim,	Murray, H. P.,	Snider,
Cianfrani,	Jones, F. R.,	Murray, J. J.,	Stank,
Cioffi,	Kamyk,	Musto,	Stevens,
Clarke,	Kee,	Naugle,	Stewart,
Comer,	Knecht,	Needham,	Stone,
Crossin,	Kornick,	Nelson,	Stoner,
Dennis,	Korns,	O'Donnell, J. A.,	Taylor,
Dennison,	Kovolenko,	O'Donnell, J. P.,	Trusio,
Devlin,	Lamb,	O'Neil,	Varallo,
Donaldson,	Lee, A. M.,	Parlante,	Varner,
Dougherty,	Lee, K. B.,	Pashley,	Verona,
Ellberg,	Leonard,	Perry, H. H.,	Walsh,
Eshback,	Light,	Perry, P. E.,	Wargo,
Farabaugh,	Limper,	Petrosky,	Welsh,
Filo,	Lopresti,	Polaski,	Wheeler,
Fineman,	Luigard,	Polen,	Whittaker,
Floyd,	Lutty,	Prendergast,	Williams, E. S.,
Flynn,	McCann,	Reibman,	Willard,
Foerster,	McCormack,	Reidenbach,	Wynd,
Frank,	McDonald,	Renwick,	Yatron,
Frascella,	McInroy,	Rigby,	Yetter,
Galley,	McLaughlin,	Riley,	Andrews,
Gallagher,	Machmer,	Rovansek,	Speaker

## NAYS—60

Agnew,	Fox,	Kessler,	Steckel,
Ashton,	Fulmer,	Kooker,	Stimmel,
Auker,	Gibb,	Kubitsky,	Strausser,
Bonner,	Goldstein,	Lippincott,	Stroup,
Brenninger,	Goodrich,	McCandless,	Tompkins,
Buchanan,	Gramlich,	Magee,	Ujobai,
Curwood,	Henzel,	Markley,	Wall,
Davis,	Hocker,	Merry,	Weidner,
Dengler,	Holliday,	Miller, H. G.,	Wescott,
Donahue,	Johnson, A. W.,	Murphy, P. J.,	Williams, A.D., Jr.,
Down,	Johnson, R.,	Murray, P. G.,	Willaredt,
Edwards,	Jones, T. H. W.,	O'Dell,	Wilt,
Eshleman,	Jump,	Ogilvie,	Wood,
Ewing,	Kelser,	Price,	Worley,
Fetterolf,	Kernaghan,	Pursley,	Zimmerman,

## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1058, Printers No. 1350,

House Bill No. 1059, Printer's No. 1353,

House Bill No. 1191, Printer's No. 967 and

House Bill No. 1542, Printer's No. 1253

were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Law" approved May 16, 1923 (P. L. 207) extending the term of the lien of certain municipal claims the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to six years.



## RECONSIDERATION OF VOTE

Mr. FINEMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion. The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend title, page 2, line 7 of title, by inserting after the word "claims," the words "in cities and school districts of the first class."

Amend title, page 2, lines 10 and 11, after the words "claims," by deleting the words "in cities and school districts of the first class."

On page 3, line 13, insert after the word "Philadelphia," the words "All such claims shall be filed."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS PASSED OVER

There being no objection

House Bill No. 1652, Printers No. 1287,

House Bill No. 1726, Printer's No. 1306 and

House Bill No. 1802, Printer's No. 1255

were passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—191

Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Ashton,	Garlock,	McInroy,	Rudisill,
Auker,	Gelfand,	McLaughlin,	Sakulsky,
Balthaser,	George,	Machmer,	Scarcell,
Blair,	Goldstein,	Magee,	Schaaf,
Boles,	Goodrich,	Mahan,	Schuster,
Bonner,	Gramlich,	Markley,	Schwartz,
Boris,	Hamilton,	Maxwell,	Seltzer,
Bower,	Heavey,	Meholchick,	Sherman,
Bowman,	Hefner,	Merry,	Shupnik,
Branca,	Helm,	Mihm,	Silverman,
Brenninger,	Henzel,	Miller, B. Z.,	Snider,
Buchanan,	Hocker,	Miller, H. G.,	Stank,
Burns,	Holliday,	Mills,	Steckel,
Capano,	Holt,	Monroe,	Stevens,
Capitolo,	Horst,	Muldowney,	Stewart,
Cianfrani,	Irviss,	Mullen,	Stimmel,
Cioffi,	Jenkins,	Munley,	Stone,

Clarke,	Jim,	Murphy, A. J., Jr.,	Stoner,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Strausser,
Crossin,	Johnson, R.,	Murray, H. P.,	Stroup,
Curwood,	Jones, F. R.,	Murray, J. J.,	Taylor,
Davis,	Jones, T. H. W.,	Murray, P. G.,	Tompkins,
Dengler,	Jump,	Musto,	Trusio,
Dennis,	Kamyk,	Naugle,	Ujobai,
Dennison,	Kee,	Needham,	Varallo,
Devlin,	Kelser,	Nelson,	Varner,
Donahue,	Kernaghan,	O'Dell,	Verona,
Donaldson,	Kessler,	O'Donnell, J. A.,	Wall,
Dougherty,	Knecht,	O'Donnell, J. P.,	Walsh,
Down,	Kooker,	Ogilvie,	Wargo,
Edwards,	Kornick,	O'Neil,	Weidner,
Eilberg,	Korns,	Parlante,	Welsh,
Eshback,	Kovolenko,	Pashley,	Wescott,
Eshleman,	Kubitsky,	Perry, H. H.,	Wheeler,
Ewing,	Lamb,	Perry, P. E.,	Whittaker,
Farabaugh,	Lee, A. M.,	Petrosky,	Williams, A. D., Jr.,
Fetterolf,	Lee, K. B.,	Polaski,	Williams, E. S.,
Flo,	Leonard,	Polen,	Willard,
Fineman,	Light,	Prendergast,	Willaredt,
Floyd,	Limper,	Price,	Wood,
Flynn,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Luigard,	Reidenbach,	Yatron,
Frascella,	Lutty,	Renwick,	Yetter,
Fulmer,	McCandless,	Rigby,	Zimmerman,
	McCann,	Riley,	Andrews,

Speaker

## NAYS—4

Agnew,	Foerster,	Gibb,	Wilt,
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## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1984, entitled:

An Act relating to the payment of wages or compensation for labor or services in private employment providing for regular pay days, conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages. \* \* \*

## RECONSIDERATION OF VOTE

Mr. FINEMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 9, page 5, line 4, by inserting after "if": "the."

Amend Section 9, page 5, line 10, by inserting after "due": "A good faith dispute or contest as to the amount of wages due or the assertion of a right of set-off or counter-claim shall be deemed a satisfactory explanation for non-payment of such amount in dispute or claimed as a set-off or counter-claim."

Amend Section 9, page 5, line 20, by inserting after "offense": "The good faith contest or dispute by any em-

ployer of any wage claim or the assertion of a right of set-off or counter-claim shall not be considered a willful violation of this act, provided that the employer has paid the employee all wages due in excess of the amount in dispute or asserted to be subject to a right of set-off or counter-claim."

Amend Section 10, page 6, line 12, by inserting after "PAYDAY": "and no good faith contest or dispute of any wage claim including the assertion of a right of set-off or counter-claim exists accounting for such nonpayment."

Amend Section 10, page 6, line 15, by inserting after "UNPAID": "and not in contest or dispute."

Amend Section 11, page 7, line 19, by inserting after "claim": "subject to any right by the employer to set-off or counter-claim against the assigning employee."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL ON FINAL PASSAGE POSTPONED

### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1365, Printer's No. 514, on page 5 of today's calendar, bill on final passage postponed.

### BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 1123;

House Bill No. 309, Printer's No. 1197; and

House Bill No. 325, Printer's No. 999.

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 347, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing a method of computing the pensions of certain employees.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. FLYNN. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Counties Third Class.

The motion was agreed to.

### BILL PASSED OVER

There being no objection

House Bill No. 348, Printer's No. 1199;

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 504, entitled:

An Act repealing section 650 of "The Penal Code" approved June 24, 1939 (P. L. 872) relating to pawnbrokers dealing with minors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, will one of the sponsors tell me the purpose of this bill?

The SPEAKER. Any volunteers?

Mr. EILBERG. Mr. Speaker, the purpose of this bill is to repeal Section 650 of the Penal Code.

Under Section 650 of the Penal Code it is crime for a pawnbroker to accept for pawn any article from any minor under the age of 16. We have at the same time on our statute books a section in the Pawnbrokers Act which makes it a crime to accept anything to be pawned by a minor under 21. In other words, our law is presently in conflict. The Penal Code says under 16; the Pawnbrokers' Act says under 21.

In order to clarify the law we wish to simply repeal the applicable section in the Penal Code and make it very clear that it is our intent that it shall be a crime for anyone under 21, that is, for any pawnbroker to accept for pawn from anyone under 21. We feel this is a desirable thing because many youngsters perhaps steal things, or accept stolen articles, and we want to discourage any pawning by such youngsters.

Mr. GOLDSTEIN. That is satisfactory. Thank you very much.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—194

Agnew,	Galley,	McDonald,	Royer,
Anderson,	Gallagher,	McInroy,	Rudisill,
Arlene,	Garlock,	McLaughlin,	Sakulsky,
Ashton,	Machmer,	Magee,	Scarcell,
Auker,	George,	Mahan,	Schaaf,
Balthaser,	Gibb,	Markley,	Schuster,
Blair,	Goldstein,	Maxwell,	Schwartz,
Boles,	Goodrich,	Meholchick,	Seltzer,
Bonner,	Gramlich,	Merry,	Sherman,
Boris,	Hamilton,	Mihm,	Shupnik,
Bower,	Heavey,	Miller, B. Z.,	Silverman,
Bowman,	Heffner,	Miller, H. G.,	Snider,
Branca,	Helm,	Mills,	Stank,
Brenninger,	Henzel,	Monroe,	Steckel,
Buchanan,	Hocker,	Muldowney,	Stevens,
Burns,	Holliday,	Mullen,	Stewart,
Capano,	Holt,	Munley,	Stimmel,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stone,
Cianfrani,	Irvls,	Murphy, P. J.,	Stoner,
Cioffi,	Jenkins,	Murray, H. P.,	Strausser,
Clarke,	Jim,	Murray, P. G.,	Stroup,
Comer,	Johnson, A. W.,	Murray, J. J.,	Taylor,
Crossin,	Johnson, R.,	Musto,	Tompkins,
Curwood,	Jones, F. R.,	Naugle,	Trusio,
Davis,	Jones, T. H. W.,	Needham,	Ujobal,
Dengler,	Jump,	Nelson,	Varallo,
Dennis,	Kamyk,	O'Dell,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kelser,	O'Donnell, J. P.,	Wall,
Donahue,	Kernaghan,	Oglvie,	Walsh,
Donaldson,	Kessler,	O'Neil,	Wargo,
Dougherty,	Knecht,	Parlante,	Weldner,
Down,	Kooker,	Pashley,	Welsh,
Edwards,	Kornick,	Perry, H. H.,	Wescott,
Eilberg,	Korns,	Perry, P. E.,	Wheeler,
Eshback,	Kovolenko,	Petrosky,	Whittaker,
Eshleman,	Kubitsky,	Polaski,	Williams, A. D., Jr.,
Ewing,	Lamb,	Polen,	Williams, E. S.,
Farabaugh,	Lee, A. M.,		Willard,



Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—1

McCormack,

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 740, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) prescribing powers and duties of the Department of Health relating to radioactive materials.

On the question,

Will the House agree to the bill on third reading?

Mr. MAXWELL asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Section 2102(m), Page 3, Line 6, by adding after the word "persons" the following: "Such regulations shall be adopted by the Department only after a public hearing thereon."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 757, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) enlarging the group of recipients of game illegally killed.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. I read this bill very carefully Mr. Speaker, and, as I see it, it does not do a thing that the Game Com-

mission does not have the authority already to do. Therefore, I am voting against the bill. I think it is useless legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Agnew, Anderson, Arlene, Ashton, Balthaser, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cloffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Galley,	Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvia, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack,	McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarcelli, SchAAF, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—2

Auker, Stimmel,

## NOT VOTING—13

Barton, Bell, Breth, Brown,	Cooper, Guthrie, Isaacs,	McKeever, Moran, Odorisio,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 893, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing the limitations on contracts entered into by school boards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Galley,	McCormack,	Royer,
Anderson,	Gallagher,	McDonald,	Rudisill,
Arlene,	Garlock,	McInroy,	Sakulsky,
Ashton,	Gelfand,	McLaughlin,	Scarcell,
Auker,	George,	Machmer,	Schaaf,
Balthaser,	Gibb,	Magee,	Schuster,
Blair,	Goldstein,	Mahan,	Schwartz,
Boles,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heavey,	Merry,	Silverman,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Miller, H. G.,	Steckel,
Buchanan,	Hocker,	Mills,	Stevens,
Burns,	Holliday,	Monroe,	Stewart,
Capano,	Holt,	Muldowney,	Stimmel,
Capitolo,	Horst,	Mullen,	Stone,
Clanfrani,	Irvis,	Munley,	Stoner,
Cloff,	Jenkins,	Murphy, A. J., Jr.,	Strausser,
Clarke,	Jim,	Murphy, P. J.,	Stroup,
Comer,	Johnson, A. W.,	Murray, H. P.	Taylor,
Crossin,	Johnson, R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, F. R.,	Murray, P. G.,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Ujobal,
Dengler,	Jump,	Naugle,	Varallo,
Dennis,	Kamyk,	Needham,	Varner,
Dennison,	Kee,	Nelson,	Verona,
Devlin,	Kelser,	O'Dell,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	O'Donnell, J. P.,	Wargo,
Dougherty,	Knecht,	Ogilvie,	Weldner,
Down,	Kooker,	O'Neil,	Welsh,
Edwards,	Kornick,	Parlante,	Wescott,
Elberg,	Korns,	Pashley,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Polaski,	Willard,
Fetterolf,	Lee, K. B.,	Polen,	Willaredt,
Filo,	Leonard,	Prendergast,	Wilt,
Fineman,	Light,	Price,	Wood,
Floyd,	Limper,	Pursley,	Worley,
Flynn,	Lippincott,	Reibman,	Wynd,
Foerster,	Lopresti,	Reidenbach,	Yatron,
Fox,	Luigard,	Renwick,	Yetter,
Frank,	Lutty,	Rigby,	Zimmerman,
Frascella,	McCandless,	Riley,	Andrews,
Fulmer,	McCann,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			

The majority required by the Constitution havin voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 953, entitled:

An Act amending the "Cooperative Agricultural Non-Stock Associations Law" approved June 12, 1919 (P. L. 466) providing for deductions by Pennsylvania milk dealers and milk handlers for payments to cooperative agricultural associations.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. GARLOCK. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1022, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the public notice provisions relating to auditors' reports.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—158

Anderson,	Frascella,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Sakulsky,
Balthaser,	Gelfand,	McLaughlin,	Scarcell,
Blair,	George,	Machmer,	Schaaf,
Boles,	Goldstein,	Markley,	Schuster,
Bonner,	Gramlich,	Maxwell,	Schwartz,
Boris,	Hamilton,	Meholchick,	Seltzer,
Bower,	Heavey,	Mihm,	Sherman,
Branca,	Heffner,	Miller, B. Z.,	Shupnik,
Brenninger,	Helm,	Miller, H. G.,	Silverman,
Burns,	Henzel,	Mills,	Snider,
Capano,	Holt,	Monroe,	Stank,
Capitolo,	Horst,	Muldowney,	Stewart,
Clanfrani,	Irvis,	Mullen,	Stone,
Cloff,	Jenkins,	Munley,	Stoner,
Clarke,	Jim,	Murphy, A. J., Jr.,	Strausser,
Comer,	Johnson, A. W.,	Murray, J. J.,	Stroup,
Crossin,	Johnson, R.,	Murray, P. G.,	Taylor,
Curwood,	Jones, F. R.,	Naugle,	Trusio,
Davis,	Jones, T. H. W.,	Musto,	Ujobal,
Dengler,	Jump,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Donaldson,	Kessler,	O'Neil,	Wargo,
Dougherty,	Knecht,	Parlante,	Welsh,
Elberg,	Kornick,	Pashley,	Wheeler,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Lamb,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lee, A. M.,	Petrosky,	Willard,
Fetterolf,	Lee, K. B.,	Polaski,	Willaredt,
Filo,	Leonard,	Polen,	Worley,
Fineman,	Light,	Prendergast,	Wynd,
Floyd,	Limper,	Price,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Andrews,
Fox,	Lutty,	Rigby,	Speaker
Frank,	McCandless,	Riley,	

## NAYS—37

Agnew,	Hocker,	Merry,	Stimmel,
Bowman,	Holliday,	Murphy, P. J.,	Tompkins,
Buchanan,	Kelser,	Murray, H. P.	Wall,
Donahue,	Kooker,	O'Dell,	Weldner,
Down,	Korns,	Ogilvie,	Wescott,
Edwards,	Kubitsky,	Pursley,	Whittaker,
Eshback,	Lippincott,	Reibman,	Wilt,
Fulmer,	Magee,	Steckel,	Wood,
Gibb,	Mahan,	Stevens,	Zimmerman,
Goodrich,			

## NOT VOTING—13

Barton,	Cooper,	McKeever,	Snare,
Bell,	Guthrie,	Moran,	Sullivan,
Breth,	Isaacs,	Odorisio,	Thompson,
Brown,			



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## RESOLUTION

### CONDOLENCE

Messrs. OGILVIE, BROWN, SELTZER, HEFFNER, A. M. LEE and ZIMMERMAN asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, August 18, 1959.

On Sunday, August 16, 1959, Mrs. Lucinda Barton of Duncannon passed away in a hospital in Harrisburg.

Mrs. Barton was well known to the members of this House. Her husband R. M. Barton, and her son-in-law John H. Moody are former members and her son Carl M. Barton is now a member of the House.

Mrs. Barton was born in Spruce Hill Township, Juniata County, on November 18, 1887, the daughter of Samuel and Jennie Graham.

Throughout her entire life Mrs. Barton gave unselfishly of herself and her time to her church, her community and her State. She was a member of the Duncannon Presbyterian Church, Mission Society, Duncannon Women's Club, Duncannon Women's Republican Club and the American Legion Auxiliary.

But her many activities never interfered with her most important role, that of the good wife and mother. Her happy husband and the wonderful family they reared attest to the excellent job she did; therefore be it

Resolved, That the members of the House of Representatives extend their deepest sympathy to her husband, R. M. Barton, to her children Harry G. Barton, Carl M. Barton, Warren H. Barton and Mrs. John H. Moody, to her brother Edgar T. Graham and to her six grandchildren, all of whom will so sorely miss her and bid them take heart in the knowledge that she has found eternal life in the mansion prepared for her in her Father's house; and be it further

Resolved, That copies of the resolution be forwarded to R. M. Barton at Duncannon and to Carl M. Barton at New Bloomfield.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1055, entitled:

An Act amending the "Barber's License Law" approved June 19, 1931 (P. L. 589) altering the requirements for licensure increasing penalties for unlicensed barbering or teaching. \* \* \*

On the question,

Will the House agree to the bill on third reading?

Mr. BOIES asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 3), page 4, line 10, by inserting after "AND" "at least."

Amend Sec. 1 (Sec. 3), page 4, line 11 by striking out "five hundred (1500)" and inserting: "two hundred and fifty (1250)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS PASSED OVER

There being no objection

House Bill No. 1173, Printers No. 1310,

House Bill No. 1175, Printer's No. 1311,

House Bill No. 1195, Printer's No. 1268,

House Bill No. 1205, Printer's No. 1317 and

House Bill No. 1344, Printer's No. 1318,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1450, entitled:

An Act relating to the control of occupational diseases and their prevention \* \* \* providing that the Department of Health shall administer the act and providing that reports made under this act shall be confidential and providing for civil relief.

On the question,

Will the House agree to the bill on third reading?

Mr. CAPANO asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 2, page 2, line 7 by striking out "AN-THRACITE mine".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS PASSED OVER

There being no objection

House Bill No. 1554, Printer's No. 1209 and

House Bill No. 1578, Printer's No. 1004,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1637, entitled:

An Act amending the "Magistrates' Fee Bill of Cities of the First Class" approved July 13, 1953 (P. L. 447) by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer an amendment at this time.



The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2), page 2, line 8 by inserting after "summons": "only."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax \* \* \* not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate which such claims or judgments were originally assessed uncertain certain terms and conditions.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

On page 4, line 9, delete the word "six (6)", and insert in lieu thereof the word "five (5)."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 1651, Printer's No. 1176,

House Bill No. 1675, Printer's No. 1125 and

House Bill No. 1701, Printer's No. 1294,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1702, entitled:

An Act relating to State highways, roads and bridges and certain use thereof amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto \* \* \*.

On the question,

Will the House agree to the bill on third reading?

Mr. COMER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Table of Contents, page 3, by inserting before last line of page: Section 502. Secretary May Construct New Highways.

Amend Table of Contents, page 3, last line of Table, by striking out "502" and inserting: 503.

Amend Table of Contents, page 4, first line, by striking out "503" and inserting: 504.

Amend Table of Contents, page 4, second line, by striking out "504" and inserting: 505.

Amend Table of Contents, page 4, third line, by striking out "505" and inserting: 506.

Amend Table of Contents, page 4, fourth line, by striking out "506" and inserting: 507.

Amend Table of Contents, page 4, by inserting before next to last line of page: Section 701. Location and Relocation of Highways.

Amend Table of Contents, page 4, next to last line of page, by striking out "701" and inserting: 702.

Amend Table of Contents, page 5, first line, by striking out "702" and inserting: 703.

Amend Table of Contents, page 6, by inserting between lines 15 and 16: Section 902. Local Service Roads.

Amend Table of Contents, page 6, line 16, by striking out "902" and inserting: 903.

Amend Table of Contents, page 6, line 17, by striking out "903" and inserting: 904.

Amend Table of Contents, page 6, line 18, by striking out "904" and inserting: 905.

Amend Table of Contents, page 6, line 19, by striking out "905" and inserting: 906.

Amend Table of Contents, page 6, line 20, by striking out "906" and inserting: 907.

Amend Table of Contents, page 9, line 12, by striking out all of said line.

Amend Table of Contents, page 9, line 13, by striking out "1502" and inserting: 1501.

Amend Table of Contents, page 9, line 16, by striking out "1503" and inserting: 1502.

Amend Table of Contents, page 9, next to last line, by striking out "1504" and inserting: 1503.

Amend Table of Contents, page 10, line 1, by striking out "1505" and inserting: 1504.

Amend Table of Contents, page 10, line 2, by striking out "1506" and inserting: 1505.

Amend Table of Contents, page 10, line 3, by striking out "1507" and inserting: 1506.

Amend Table of Contents, page 10, line 5, by striking out "1508" and inserting: 1507.

Amend Table of Contents, page 10, line 7, by striking out "1509" and inserting: 1508.

Amend Table of Contents, page 10, line 9, by striking out "1510" and inserting: 1509.

Amend Bill, page 24, by inserting between lines 16 and 17: Section 502. Secretary May Construct New Highways. The secretary may construct new highways to be part of the State Highway System and in so doing may abandon or vacate existing highways from the State Highway System.

Amend Sec. 502, page 27, line 4, by striking out "502" and inserting: 503.

Amend Sec. 503, page 27, line 12, by striking out "503" and inserting: 504.

Amend Sec. 504, page 27, line 17, by striking out "504" and inserting: 505.

Amend Sec. 505, page 28, line 1, by striking out "505" and inserting: 506.

Amend Sec. 506, page 28, line 11, by striking out "506" and inserting: 507.

Amend Bill, page 31, by inserting between lines 8 and 9: Section 701. Location and Relocation of Highways. The secretary may locate or relocate highways.

Amend Sec. 701, page 31, line 9, by striking out "701" and inserting: 702.

Amend Sec. 702, page 31, line 12, by striking out "702" and inserting: 703.

Amend Bill, page 42, by inserting between lines 9 and 10: Section 902. Local Service Roads. The secretary may



construct local service roads or alter or improve existing roads to serve as local service roads. Local service roads shall be maintained by the city, borough, township or incorporated town in which they are located unless the secretary designates them as part of the State Highway System. Local service roads may not be abandoned or vacated without the consent of the secretary.

Amend Sec. 902, page 42, line 17, by striking out "902" and inserting: 903.

Amend Sec. 902, page 43, lines 6 to 8, by striking out all of lines 6 and 7, and "TION OF SUCH LIMITED ACCESS HIGHWAY" in line 8.

Amend Sec. 903, page 43, line 13, by striking out "903" and inserting: 904.

Amend Sec. 904, page 44, line 1, by striking out "904" and inserting: "905."

Amend Sec. 905, page 44, line 4, by striking out "905" and inserting: "906."

Amend Sec. 906, page 44, line 10, by striking out "906" and inserting: "907."

Amend Sec. 1114, page 53, line 6, by striking out "MUNICIPALITIES" and inserting: "cities of the first class."

Amend Sec. 1402, page 57, line 19, by inserting after "OVER": "the most practical route and wherever possible over."

Amend Sec. 1402, page 57, line 20, by striking out "PUBLIC."

Amend Sec. 1402, page 57, line 20, page 58, line 1, by striking out "WHETHER STATE OR LOCAL" and inserting: "and roads."

Amend Sec. 1501, page 59, lines 5 to 20, by striking out all of said lines.

Amend Sec. 1502, page 60, line 14, by striking out "1502" and inserting: "1501."

Amend Sec. 1503, page 61, line 14, by striking out "1503" and inserting: "1502."

Amend Sec. 1503, page 61, line 19, by inserting after "AND": "transverse with."

Amend Sec. 1503, page 62, line 7, by striking out "IN GRANTING OR REFUSING ANY SUCH PERMIT."

Amend Sec. 1503, page 62, lines 8, 9 and 10, by striking out "SHALL BE GUIDED BY THE POLICY" in line 8, all of line 9 and "GRANTED HE" in line 10.

Amend Sec. 1503, page 62, line 10, by striking out "THEREIN."

Amend Sec. 1504, page 62, line 19, by striking out "1504" and inserting: "1503."

Amend Sec. 1504, page 63, line 6, by inserting after "THEM": "at its own cost and expense."

Amend Sec. 1504, page 63, line 13, by inserting after "THEM": "at its own cost and expense."

Amend Sec. 1504, page 64, lines 7 to 13, by striking out all of said lines.

Amend Sec. 1505, page 64, line 14, by striking out "1505" and inserting: "1504."

Amend Sec. 1506, page 66, line 12, by striking out "1506" and inserting: "1505."

Amend Sec. 1507, page 66, line 20, by striking out "1507" and inserting: "1506."

Amend Sec. 1508, page 67, line 6, by striking out "1508" and inserting: "1507."

Amend Sec. 1509, page 68, line 5, by striking out "1509" and inserting: "1508."

Amend Sec. 1510, page 68, line 17, by striking out "1510" and inserting: "1509."

Amend Sec. 2301, page 111, line 20; page 112, lines 1 to 20; page 113, lines 1 to 8, by striking out all of said lines

Amend Sec. 2301, page 113, line 9, by striking out "(34)" and inserting: "(32)."

Amend Sec. 2301, page 113, line 13, by striking out "(35)" and inserting: "(33)."

Amend Sec. 2301, page 114, line 10, by striking out "(36)" and inserting: "34."

Amend Sec. 2301, page 114, lines 14 to 17, by striking out all of said lines.

Amend Sec. 2301, page 114, line 18, by striking out "(38)" and inserting: "(35)."

Amend Sec. 2301, page 115, line 3, by striking out "(39)" and inserting: "(36)."

Amend Sec. 2301, page 115, line 8, by striking out "(40)" and inserting: "(37)."

Amend Sec. 2301, page 115, line 13, by striking out "(41)" and inserting: "(38)."

Amend Sec. 2301, page 115, line 17, by striking out "(42)" and inserting: "(39)."

Amend Sec. 2301, page 116, line 3, by striking out "(43)" and inserting: "(40)."

Amend Sec. 2301, page 116, lines 7 to 20; page 117, lines 1 to 8, by striking out all of said lines.

Amend Sec. 2301, page 117, line 9, by striking out "(45)" and inserting: "(41)."

Amend Sec. 2301, page 117, line 13, by striking out "(46)" and inserting: "(42)."

Amend Sec. 2301, page 117, line 17, by striking out "(47)" and inserting: "(43)."

Amend Sec. 2301, page 118, line 1, by striking out "(48)" and inserting: "(44)."

Amend Sec. 2301, page 119, line 3, by striking out "(49)" and inserting: "(45)."

Amend Sec. 2301, page 119, line 8, by striking out "(50)" and inserting: "(46)."

Amend Sec. 2301, page 119, line 14, by striking out "(51)" and inserting: "(47)."

Amend Sec. 2301, page 121, line 4, by striking out "(52)" and inserting: "(48)."

Amend Sec. 2301, page 121, line 17, by striking out "(53)" and inserting: "(49)."

Amend Sec. 2301, page 122, line 1, by striking out "(54)" and inserting: "(50)."

Amend Sec. 2301, page 122, line 13, by striking out "(55)" and inserting: "(51)."

Amend Sec. 2301, page 123, line 1, by striking out "(56)" and inserting: "(52)."

Amend Sec. 2301, page 123, line 8, by striking out "(57)" and inserting: "(53)."

Amend Sec. 2301, page 124, line 1, by striking out "(58)" and inserting: "(54)."

Amend Sec. 2301, page 124, line 6, by striking out "(59)" and inserting: "(55)."

Amend Sec. 2301, page 124, line 14, by striking out "(60)" and inserting: "(56)."

Amend Sec. 2301, page 124, line 17, by striking out "(61)" and inserting: "(57)."

Amend Sec. 2301, page 125, line 6, by striking out "(62)" and inserting: "(58)."

Amend Sec. 2301, page 125, line 12, by striking out "(63)" and inserting: "(59)."

Amend Sec. 2301, page 126, line 13, by striking out "(64)" and inserting: "(60)."

Amend Sec. 2301, page 127, line 1, by striking out "(65)" and inserting: "(61)."

Amend Sec. 2301, page 127, line 3, by striking out "(66)" and inserting: "(62)."

Amend Sec. 2301, page 127, line 9, by striking out "(67)" and inserting: "(63)."

Amend Sec. 2301, page 127, line 13, by striking out "(68)" and inserting: "(64)."

Amend Sec. 2301, page 127, line 19, by striking out "(69)" and inserting: "(65)."

Amend Sec. 2301, page 128, line 6, by striking out "(70)" and inserting: "(66)."

Amend Sec. 2301, page 128, line 10, by striking out "(71)" and inserting: "(67)."

Amend Sec. 2301, page 128, line 14, by striking out "(72)" and inserting: "(68)."

Amend Sec. 2301, page 129, line 1, by striking out "(73)" and inserting: "(69)."

Amend Sec. 2301, page 129, line 3, by striking out "(74)" and inserting: "(70)."

Amend Sec. 2301, page 129, line 9, by striking out "(75)" and inserting: "(71)."

Amend Sec. 2301, page 129, line 13, by striking out "(76)" and inserting: "(72)."

Amend Sec. 2301, page 130, line 3, by striking out "(77)" and inserting: "(73)."



Amend Sec. 2301, page 130, line 9, by striking out "(78)" and inserting: "(74)."  
 Amend Sec. 2301, page 130, line 17, by striking out "(79)" and inserting: "(75)."  
 Amend Sec. 2301, page 131, line 3, by striking out "(80)" and inserting: "(76)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 1707, Printer's No. 1151,

House Bill No. 1729, Printer's No. 1051,

House Bill No. 1733, Printer's No. 1227,

House Bill No. 1820, Printer's No. 1321 and

House Bill No. 1861, Printer's No. 1054,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1886, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways," etc., by prohibiting peace officers from requiring vehicles or combinations of vehicles to be driven to stationary scales in certain cases and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. YATRON. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study.

The motion was agreed to.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 1906, Printer's No. 1292,

House Bill No. 1907, Printer's No. 1362,

House Bill No. 1909, Printer's No. 1280,

House Bill No. 1911, Printer's No. 1281,

House Bill No. 1912, Printer's No. 1282,

House Bill No. 1940, Printer's No. 1057,

House Bill No. 1941, Printer's No. 1058,

House Bill No. 1944, Printer's No. 1290 and

House Bill No. 2027, Printer's No. 1324,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health including mental illness, mental defect, epilepsy and inebriety and amending revising, consolidating and changing the laws

relating thereto," changing the procedures for the handling of patients' funds and repealing inconsistent laws.

On the question,

Will the House agree to the bill on third reading?

Mr. CAPANO asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 811.1), page 3, line 2, by inserting after "requests": if the superintendent submits with such request to the Department of Revenue a statement certified by the superintendent as being true and correct and setting forth in detail a full accounting of the patients' funds disbursed for the benefit of the patient.

Amend Sec. 1 (Sec. 811.1), page 3, line 11, by striking out "IBLIGATION" and inserting: obligation.

Amend Sec. 1 (Sec. 811.1), page 4, line 2, by inserting after "superintendent": All funds transmitted to the guardian shall be accompanied by a statement by the superintendent or revenue agent or both as the case may be, certified as true and correct and setting forth in detail a full accounting of the patients' funds disbursed for the benefit of the patient.

Amend Sec. 1 (Sec. 811.1), page 5, line 11, by inserting after "agent": or patient.

Amend Sec. 1 (Sec. 811.1), page 6, by inserting between lines 16 and 17: When a guardian has been appointed for a patient in a manner other than as provided in clause (3) of subsection (a) of this section, such guardian shall be entitled to receive the money or property of the patient in the same manner and under the same terms and conditions as prescribed in the case of a guardian appointed pursuant to clause (3) or subsection (a) of this section.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection House Bill No. 2034 on page 15, all bills on pages 16 and 17 and House Bill No. 2259 on page 18 were passed over at the request of Mr. McCANN.

#### BILL PASSED OVER

There being no objection,

House Bill No. 2288, Printer's No. 1345,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

On the question,

Will the House agree to the bill on third reading?



## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

## BILLS PASSED OVER

There being no objection all Senate Bills on pages 20 and 21 and Senate Bills Nos. 811, 832 and 833 on page 22 were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessments law" specifying when tax levies shall first be based on assessments from valuations made with use of the permanent system of records.

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIES asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 602), page 5, line 12, by inserting after "15th": "in the year 1959."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL ON THIRD READING POSTPONED

## TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1893, Printer's No. 1257, on page 22 of today's calendar, bills on third reading postponed.

## BILLS PASSED OVER

The SPEAKER. Without objection, the remainder of the bills on today's calendar will be passed over.

The Chair hears none.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. CURWOOD. Mr. Speaker, I move that House Bill No. 274, Printer's No. 227, together with communication from the Senate be taken from the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL NO. 274 FROM GOVERNOR.

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, July 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 274, Printer's No. 227, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## RECONSIDERATION OF VOTE

Mr. CURWOOD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. J. J. MURRAY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Luzerne, Mr. Curwood vote on the final passage of this bill?

Mr. CURWOOD. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Murray vote on the final passage of this bill?

Mr. J. J. MURRAY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. CURWOOD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. CURWOOD asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by striking out "and of political subdivisions."

Amend Title, page 1, second line of Title, by inserting after "for": "the".

Amend Sec. 1, page 1, lines 1 and 2, by striking out "or of any political subdivision or of any agency of either such governmental bodies."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## REPORTS FROM COMMITTEE

Mr. LUTTY from the Committee on Public Utilities and Corporations, reported as amended, House Bill No. 2120, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), prescribing an alternative method for fixing the rates of certain common carriers.



Mr. WILT from the Committee on State Government, reported as committed, House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; \* \* \*" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

Mr. CIOFFI from the Committee on Counties, re-reported as committed, Senate Bill No. 475, entitled:

An Act amending the act of June 25, 1947 (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," increasing the salaries of certain county officers.

Mr. CIOFFI from the Committee on Counties, re-reported as committed, Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class," increasing the salaries of certain employees and county officers.

Mr. MAGEE from the Committee on Public Utilities and Corporations, reported as committed, Senate Bill No. 815, entitled:

An Act amending the act of April 14, 1927 (P. L. 297), entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof \* \* \*" clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927 (P. L. 297) as amended.

M. TAYLOR from the Committee on Public Utilities and Corporations, reported as committed, House Bill No. 2101, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations," etc., by including certain persons or corporations using or furnishing for use dump trucks for the transportation of excavated or road construction materials within the definition of "common carrier by motor vehicle" or of "contract carrier by motor vehicle."

#### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "An act providing for equalization of assessed

valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; \* \* \*" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 815, entitled:

An Act amending the act of April 14, 1927 (P. L. 297), entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof \* \* \*" clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927 (P. L. 297) as amended.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2101, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations," etc., by including certain persons or corporations using or furnishing for use dump trucks for the transportation of excavated or road construction materials within the definition of "common carrier by motor vehicle" or of "contract carrier by motor vehicle."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. POLEN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

#### COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Room 245-246, Wednesday, August 19 at 9:00 a. m.

BOROUGHES, Mr. Filo, Chairman, Room 324, Wednesday, August 19 at 9:45 a. m.

CITIES—THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Wednesday, August 19 at 9:30 a. m.

#### ADJOURNMENT

Mr. EDWARDS. Mr. Speaker, I move that this House do now adjourn until Wednesday, August 19, 1959 at 9:00 a. m. EST.

The motion was agreed to, and (at 6:43 p. m. EST) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, AUGUST 19, 1959.

No. 81.

## SENATE

WEDNESDAY, AUGUST 19, 1959

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, FATHER REGIS O'BRIEN, Professor of Philosophy and Homiletics, St. Francis Seminary, Loretto, Cambria County, offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost, Amen.

Our Father, Who art in Heaven, hallowed be Thy name forever in this Hall of the Legislature.

And now, most loving Lord, the Members of this Legislature, in unison of mind and heart, earnestly beseech You to make them instruments of Your peace in our very much disturbed society.

Where there is hatred, let them sow love.

Where there is injury, prompt them to pardon.

Where there is doubt, let them champion faith.

Where there is darkness, let them be bearers of light.

Where there is sadness, let them create joy.

Grant these servants that especial gift that they do not seek to be understood so much as to understand.

In the name of the Father and of the Son and of the Holy Ghost, Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILL No. 424

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 424, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the issuance and transfer of liquor licenses.

with the information that the House has passed the same without amendments.

## HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 56, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; \*\*\*, and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Local Government.

House Bill No. 133, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing for approval to erect traffic signs and changing the definition of the term "school zone."

Which was committed to the Committee on Highways.

House Bill No. 504, entitled:

An Act repealing section 650 of "The Penal Code," approved June 24, 1939 (P. L. 872) relating to pawnbrokers dealing with minors.

Which was committed to the Committee on Law and Order.

House Bill No. 757, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), enlarging the group of recipients of game illegally killed.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 893, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), increasing and harmonizing the limitations on contracts entered into by school boards.

Which was committed to the Committee on Education.

House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class; and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

Which was committed to the Committee on Local Government.



House Bill No. 1018, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), enlarging the power of cities to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities, and from points without such cities to points within such cities.

Which was committed to the Committee on Local Government.

House Bill No. 1022, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the public notice provisions relating to auditors' reports.

Which was committed to the Committee on Education.

House Bill No. 1590, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), increasing the permanent excise tax.

Which was committed to the Committee on Finance.

House Bill No. 1593, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) increasing the permanent State tax.

Which was committed to the Committee on Finance.

House Bill No. 1887, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; increasing and changing the appropriation out of the Motor License Fund and continuing a conditional appropriation beyond the calendar year 1959.

Which was committed to the Committee on Highways.

House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions, and donated or otherwise dedicated as public parks, squares or similar uses.

Which was committed to the Committee on Judiciary General.

House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2265, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), creating and imposing duties on mine safety committees.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law,"

approved June 2, 1891 (P. L. 176), changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2267, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2270, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), regulating the marking of the means of ingress and egress in mines.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed, buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases.

Which was committed to the Committee on Mines and Mineral Industries.

House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

Which was committed to the Committee on Finance.

## BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 37, Printer's No. 1165;  
Senate Bill No. 170, Printer's No. 1053;  
Senate Bill No. 171, Printer's No. 1172;  
Senate Bill No. 172, Printer's No. 1173;  
Senate Bill No. 325, Printer's No. 1168;  
Senate Bill No. 424, Printer's No. 1274;  
House Bill No. 1447, Printer's No. 574;  
House Bill No. 1507, Printer's No. 588; and  
House Bill No. 1561, Printer's No. 596.

## REPORTS FROM COMMITTEES

Mr. WATKINS, from the Committee on Highways reported as committed, Senate Bill No. 193, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways, . . ." changing a route and adding a new route in Delaware County.

Mr. PROPERT, from the Committee on Highways reported as committed, House Bill No. 398, entitled:

An Act amending "The Tractor Code," approved May 1, 1929 (P. L. 1005), providing for the insurance of permits for the movement of certain equipment of excessive size or weight.

Mr. KELLER, from the Committee on Education reported as amended, House Bill No. 1207, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

He also, from the Committee on Education reported as amended, House Bill No. 1537, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing provisions relating to the keeping open of schools.

## BILLS INTRODUCED AND REFERRED

Messrs ELLIOT, MURRAY and EHRGOOD read in place and presented to the Chair Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing for the appointment of special school police; defining their powers and duties; and providing for their compensation by the school district.

Which was committed to the Committee on Local Government.

Mr. ELLIOTT, on behalf of Messrs. WATKINS and PROPERT read in his place and presented to the Chair Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

Which was committed to the Committee on Local Government.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County.

Which was committed to the Committee on State Government.

## SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO  
RAMSEY S. BLACK ON HIS SEVENTY-EIGHTH  
BIRTHDAY

Messrs. LANE, MCGINNIS and RUTH offered the following resolution (Serial No. 55), which was read, considered and agreed to:

In the Senate, August 19, 1959.

Ramsey S. Black, a native of Harrisburg, Pennsylvania, will celebrate his 78th birthday on August 20, 1959.

In 1900, Mr. Black entered the employ of the Pennsylvania Railroad where he attained the position of passenger conductor. His service to the State began in 1916 when he was elected to the General Assembly from the Harrisburg District. Thereafter, he was elected a member of the Dauphin County Board of County Commissioners in 1923 and re-elected in 1927. In 1934, he was appointed Postmaster in Harrisburg and served in that office until February 1, 1938, when he was appointed Third Assistant Postmaster General of the United States. He continued in that office until May 6, 1945, when he took the oath of State Treasurer of Pennsylvania.

Mr. Black, an active figure in Harrisburg civic affairs, served as president of the Pennsylvania Railroad Y.M.C.A. and was secretary and treasurer of the Pennsylvania Association of Postmasters. He is a member of Harrisburg Lodge No. 617, Order of Railroad Conductors and for twenty-five years was a member of the Brotherhood of Railroad Trainmen; therefore be it

Resolved, That the Senate extend its hearty congratulations to Mr. Black on his 78th birthday; and be it further

Resolved, That a copy of this resolution be sent to Mr. Ramsey S. Black.

## CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1690, entitled:

An act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

## RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1690, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Taylor,
Camel,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1721, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) extending the use of manufacture's jobbers and dealer's registration plates.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1721, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1721, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1387;

House Bill No. 661, Printer's No. 1369; and

House Bill No. 662, Printer's No. 1370.

The PRESIDENT. Is there objection? The Chair hears none.

### REVENUE BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1285, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services providing certain exemptions providing certain exemptions providing for uncollectible accounts adding provisions concerning refunds increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, the learned gentleman from Washington County, Senator Lane, yesterday coined a very amusing expression. He said that our venerable President pro tempore blows the bugle—or something of that kind—Senator Pechan waves the flag and Senator Berger beats the drums.

To use Kipling's expression this morning, apparently, "The captains and kings depart." Therefore, everything is quiet and I think I have a chance to say a few words about my position on House Bill No. 1285.

I do believe that it is an obnoxious bill. However, I am going to cast my vote in the affirmative. On this occasion, I would like to make an appeal that in the future, when the time will come to cut the melons, sectionalism be put aside in order that Philadelphia should not be forgotten.

There was here, once upon a time, a Senator from Fayette County by the name of Cavalcante, who always used to have a certain theme. The theme of all his debates was the fact that Philadelphia and Pittsburgh ganged up against Pennsylvania. He was not the only one. The Constitution of 1874, if you examine it, has the same sentiment: "Do anything you can to Philadelphia, lest Philadelphia vanquish the entire State." Apparently, this sectionalism, here and there, still recurs as a refrain.

We need a lot of help in Philadelphia. I do hope when the next stage comes to pass all those appropriation bills, that you will remember one thing; that Philadelphia belongs to Pennsylvania, and the same mosquitoes which infest Delaware County also annoy Philadelphia. This is with due respect to Senator Watkins. He always talks about Delaware County, but he forgets that if it were not for Philadelphia, the mosquitoes would make life bitter in Delaware County. It took Philadelphia to knock out the mosquitoes.

Coming back to my request, I do hope after this bill is passed—and it will be passed because we cannot stop the inevitable—that when the time comes to cut up the melons, the knives of Senator Pechan, the plans of Senator Berger and the commands of Senator Taylor will be most merciful to Philadelphia.

Mr. SEYLER. Mr. President, in spite of the curiosity of certain people in my county, I have delayed somewhat in making a decision on voting on this bill. I hope this will not be construed as a congenital indecision or a defect of character because it is my conviction that on a matter of the importance of this bill, considerable thought should be given and time should be given for the pos-



sibility of all of the pertinent facts which might enter into a person's decision being on the record.

It seems to me, Mr. President, that in making a decision there are certain criteria that one must consider, as far as any given tax bill is concerned. There are certainly criteria in everyone's mind as they consider a tax bill. However, it seems to me that sometimes the criteria are not those which are based on reason or logic, but are rather such criteria as are engendered in the kind of atmosphere we have in a political situation such as we have in this Legislative Body. They may be concerned with how many points can be scored in the kind of game that is going on, or what advantage can be gained for a party or for an individual. I do not think these are worthy criteria.

I think there are three criteria which should be considered. First of all, is the tax needed? Second, will this tax adequately meet the need? Third, is it the best tax that is available to meet the need?

On the first criterion, Mr. President, there seems to be no doubt in anyone's mind that taxes are needed. As a matter of fact, Mr. President, my only criticism of the large budget, at the time it was submitted and since, was that in my opinion the amounts appropriated were inadequate, particularly in the areas of public welfare which include public assistance now, and public education.

As a matter of fact, Mr. President, I am a co-sponsor of a bill introduced only yesterday, which would, if passed, make it necessary to make an additional appropriation for public education. I think this is defensible. I think unless something is done, we will not be able to give an adequate program to the school children of Pennsylvania.

Therefore, I would first of all say as to the first criterion, definitely there is a need for the amount of money that this tax would raise.

Secondly, will this tax meet the need? Here, Mr. President, there is some question and in considering this question, one must take not only the tax which is before us, but the situation in regard to other possible tax sources and whether they, together with this tax, will meet the situation. On this matter, I am not sure. On the basis of discussions I have heard, I have reason to believe that it is the intention of the Majority in this Chamber to inadequately for State Government in some of the areas in which I am particularly concerned. I am voting on this tax bill today without an assurance that it, together with the other taxes which will be approved, will form an adequate answer.

The third criterion, Mr. President,—since the first test has been passed and since the second is contingent upon future action in this case—is certainly the decisive one and that is, is this the best tax available? I think we must look at this matter from two points of view; one from the standpoint of equity, and one from the standpoint of its effect upon the economy of the Commonwealth. I think both of these are important.

Some people will say, "You have admitted to me that you are even guilty of advancing or introducing legislation which would call for more funds. Therefore, you are obligated to vote for any tax measures presented." Mr. President, I do not go along with that idea. I was glad to hear at the time of the passage of the three and

one-half per cent sales tax that Senator Pechan did not go along with that idea. In other words, we all know that we are deceiving the people if we try to make a case that this is the only tax that is going to be possible. It is the only tax that is going to be possible—if that is true—because of the action of this Body and the House, taken collectively and individually.

We are all thinking people. We are not unable to do anything that we collectively decide to do. Therefore, there are alternatives which, to my mind, as I think about it at this moment, would be preferred both from the standpoint of equity and from the standpoint of its effect upon the economy of the Commonwealth.

I am not, Mr. President, going to take each piece of legislation which has been introduced and subject you to the ordeal of listening to my analysis of it. However, I will say there are certainly taxes that have been prominent in the news and which would be preferred by me. I think the Dougherty tax package, to give one instance, was a tax program which was preferred. I think we have some taxes still in committee, both in the Senate and in the House, which, to me, would be preferred to this tax. I think one bill which has been overlooked—which to my mind is one of the most equitable taxes and, from the standpoint of efficiency and ability to enforce at low cost, is probably one of the best tax proposals offered—was House Bill No. 2107, offered by my colleague from York County, Representative Nelson, which would impose a uniform tax upon the tax paid by the taxpayer to the Federal Government. This tax would bring in a large sum of income. I believe that it would be a constitutional tax. I believe that it would fall equitably on the people of the Commonwealth. I believe it would be easy to enforce because the Federal Government already has the problem of enforcing its tax returns and since this tax would be based on that, this would be a very feasible tax. However, this tax is not before us and I do not want to debate it. I am simply suggesting, in these instances, taxes which to my mind are available to us as a Legislature and would be preferred by me as meeting the criteria I have offered to the present taxes before us.

How did we get this tax before us? If this is the only feasible tax, if this is the only tax that is possible, as has been argued, why is it? We have to go back a little. We all know that the first sales tax was passed by a Republican Administration, with a Republican House and Senate back in 1951, after considerable wrangling and after defeat of the flat rate income tax which had been offered by the Republican Party and passed by the Republicans in the House. I was a Member of the House at that time.

Subsequently, when it was necessary to get more taxes during the first term of Governor Leader, we all remember that the Administration offered, repeatedly, tax programs which were passed by a Democratic House, without Republican votes, which met Democratic principles of taxation as the Democratic Party saw them and which were equitable from the point of view and the principles of the Democratic Party. These were repeatedly and ruthlessly voted down in this Body.

Finally, after a great effort to pass what the Leader Administration thought was an equitable tax program, and due to the fact that with lack of income, the obligations of the Commonwealth would not be met as to schools, to welfare and to other important agencies, the



Republican proposal, as offered through amendments in this Senate, was finally acceded to.

In this present Session, we have had an interesting development. The progress of taxation began before the actual Session began. It began during the campaign when both candidates for Governor went on record as saying that their first step to a solution of this tax problem was to appoint a—in one case, it was called “bipartisan” and in the other case it was called “nonpartisan”—tax commission which should study this question, and be composed of men who were competent to survey the resources of the Commonwealth, and to assay its effect upon industry and the general welfare of the Commonwealth and to bring forth a program which would then be acceptable because it was a bipartisan one. I assumed, in my naivete, that since both candidates offered this and both party platforms supported it, all who were elected or who were members of both parties would feel that this was a solution that they were, to some degree at least, obligated to the people before whom they had gone with this program to support. On that basis, I, for example, supported the three and one-half per cent tax program.

There may be some who ask why I balk at four per cent when I was willing to go along with three and one-half per cent. I will tell you. I went along with the three and one-half per cent tax program and so did many of my colleagues, due to the fact that it was a part of a total program which, to my mind, would meet the need and provide adequately for the finances of the Commonwealth. Although this particular part of the program was not to my mind a good piece of legislation, it was part of a bipartisan program and as it stood, as a part of a package, it presented some degree of equity and that, furthermore, it was part of something that I, as a candidate, had agreed to support. On that basis, I supported it.

Then I was surprised to see, having done that, the clever maneuvering set in. Mr. President, I think we live here in a somewhat unnatural atmosphere. I think sometimes some of the things that we estimate as being very clever are not so clever.

I have great admiration, Mr. President, I will confess, for the clever political figures here. I think there is no question that we have some masters of politics. Some of them were named yesterday, and I would certainly say “amen.” They are clever and they are able politicians. I have seen strategy which was considered very clever in the press, and we more naive Members stood around openmouthed in admiration of the clever maneuvering, so that the outcome would reflect credit to one party and not the other, taking into consideration very little, as I see it, Mr. President, the effect of the bills upon the people of the Commonwealth, but rather determined to do something which will stand as a monument of clever political strategy.

I think, Mr. President, that if the people of the Commonwealth had some way of knowing and understanding what taxes are available—they do not want any taxes, of course. We all assume that as a basis for thinking. However, they do know that needs have to be met and they do ask for services. I think if they had some way of knowing and understanding what the alternatives were, what taxes could be inflicted, and if they knew the effect of a sales tax of this sort on themselves, I do

not think for one minute that anyone who voted for a tax like this would ever be returned to these Halls.

Fortunately, the people do not know. The great majority of the Legislators, let us confess it, have a great deal of difficulty in understanding and appreciating the effects. I suppose the task is almost insuperable, to try to pass on this understanding to the people who do the voting and who pay the taxes. However, if it were possible, Mr. President, I do not have one single doubt in my mind that a program like this would never pass or, if it did, we would have a considerable turnover in the ranks of the Legislature in the succeeding year.

Finally, Mr. President, a situation developed as a part of this type of political strategy which, I think, is very unfortunate, in which a party was prompted to say, “We will give only four votes.” I do not know what prompted this statement. I heard at least one Senator say on television, in answer to a question, that he thought this sales tax was a good tax, but he admitted that he did not vote for the three and one-half per cent sales tax and probably will not vote for the four per cent sales tax.

I do not understand this reasoning. However, I do understand that it is a part of all of this clever political maneuvering which I am, perhaps, too naive to follow.

It is an unfortunate situation. My own problem with this was added to when a letter was written which more or less put me in the center of the controversy, for it was obvious that if only four votes were to be given, twenty-two votes had to be supplied and if one person, therefore, is reluctant, that person is carrying the whole weight and onus of the situation. I regret that I was singled out. I would have not sought such a position and I would have not sought such publicity. I regret that it happened. It adds to the responsibility that I feel. However, on the other hand, I think it presents an impossible situation.

In the first place, I have no way of reading the minds of the Members on the other side. However, it may be that there are many people on the other side who honestly feel that this alternative is better than the other alternatives I have mentioned. As I understand it, they are bound now in a situation in which, just as a matter of strategy, they may be in the position of having to vote against a bill which they honestly think is the best solution. On the other hand, there may be other people on this side who are in a position of feeling an obligation to vote for a proposal which they really feel is not the best alternative that could be selected.

These are some of the reasons, Mr. President, why I have been hesitant. My final conclusion has to be made today because there will be a roll call soon and, unless I take a jet out of here, I think the President is going to insist that I vote. Therefore, the situation comes down to this. I must vote on this matter on principle. I do not think that this is going to injure me. I think before the roll call comes down to the S's, the situation may be resolved. However, in all honesty, I want to say that if today the fate of this proposal hung on me, I would have no other means at my disposal but to vote according to the principles involved as I see them.

Mr. SILVER. Mr. President, Senator Seyler has covered the philosophy of this tax and the theory of this taxation so thoroughly that I am going to take a brief moment to make a few comments.

I regretfully say that I intend to vote for this bill. I



say this because I know from the bitter experience of the 1955-1956 Session that this is the only tax that the Republican Members of this Senate will go for to finance the needs of our State.

I just want to make this further comment, and then I will stop. We have on the Calendar today, in addition to House Bill No. 1285, two other bills, House Bill No. 660 and House Bill No. 661. House Bill No. 660, which has been passed over in order, is a tax on gas companies. I call to the attention of the Senate that while the four per cent tax, which is a tax on the people, is made a permanent tax and does not expire, the two taxes on business, which produce only a fractional part of the money provided by House Bill No. 1285,—one of which is on gas companies—you will note are affective for a limited period. I understand, and I am glad to say, that the gas tax was made permanent yesterday. However, I still say that the other tax, the tax on the shares of banks, which goes from four to eight mills, is made temporary and expires on May 31, 1960. I make mention of this as a symbol of the tax philosophy of our good friends on the other side.

Mr. WEINER. Mr. President, this apparent difficulty that we are having with tax programs, I think, makes it very evident that there is no such thing as a popular tax program or a popular tax.

I do not think that the Senator from York is as naive as he protests to be, because I think he is a pretty bright gentleman and he has been around here long enough to realize how these things come about. I think possibly he put his finger on it better than anyone I have heard express it so far. How are these tax programs arrived at? How do we come to a program of a sales tax as opposed to an income tax or as opposed to any other kind of a tax? Why is one more palatable than another, and why can we get X number of votes for one bill when we cannot get X number of votes for another?

I believe that all of us who have been here for a week or so realize that a good bit of this maneuvering, as my good friend from York tends to term it, takes place not only during the Session, but after the Session and within the parties themselves.

The fine gentlemen sitting here to my left, who represent the press, are also not blameless in this matter. They must share full blame in it, because, unfortunately, they, work for people who have a proprietary interest in the tax programs, and having a media which they can use and which they can distribute very readily and very easily, they decide to take a position. Sometimes they are very subtle about this position and at other times they are brutally frank. The result that they try to achieve helps dominate the thinking of the gentlemen who make up this General Assembly, all of whom happen to have all of the human frailties which most people do possess. They are not supermen just because they happen to be elected to the State Senate or the State House of Representatives. They suffer from all of the different problems that all of the other human beings who make up this Commonwealth suffer. Therefore, they set out to create a controversy where none exists or, if there is a controversy, they elaborate on it. They misquote, they twist and they turn, not because they have any purpose to achieve ostensibly, but I think underlying it all, the people who own these newspapers have arrived at a result that they would like to see achieved and so they set out to follow this result.

Let me cite a very simple example. The problem of tax program, I think, concerns not only all of the people of this Commonwealth, but primarily the Members who make up this Body. There are fifty of us. We receive, if the source of payment is any criteria or indicia of where we belong, a check from the State of Pennsylvania paying for our wages and our expenses. These checks do not come from Allegheny County, or from Lackawanna County up in the northern region, nor do they come from Dauphin County or any other county. They come from the State of Pennsylvania, paid for by the people of Pennsylvania. Therefore, our first duty and obligation is to the State.

To get back to the case in point, one of the newspapers in this area carried a statement made by one of the responsible Members here that Democrats must produce twenty-two votes or so-and-so will happen. One of the other things that appeared was that one of the other gentlemen who lives near the Philadelphia area was quoted as saying that there will be only four votes, no more or no less, and twenty-two votes must be produced or we do not go anywhere.

I am not so sure that these gentlemen actually made these statements. I am not so sure they are even being quoted correctly. However, these things happen to sell newspapers. I know a number of times I have been quoted in the newspapers where a gentlemen never spoke to me, never got my comment, and he decided to write this out of somewhere which suited him best and happened to fill the present story.

I do not find fault with this, only to the extent that this is misinformation that is being given to the people. I do not find fault with the gentlemen who are sitting here to my left because they are, like myself and like many people in this Chamber, workingmen who have to work for a living, and they must produce or do what their employers tell them to do or decide that they must do, or else they will not be employed by them. I am not so sure that all of the time when they report X or Y facts, that they come out the way they reported them. They may come out X prime or Y prime, or even turn out to be A or B, depending upon the particular bent or story the newspapers is on. Enough about that.

Some of the things that we are duty bound to cover and take care of before we adjourn are the hospitals, the institutions, the infirm, the indigent and the people who are unable to take care of themselves or do anything for themselves. I think that includes almost all of the people whom we can think about who are unable to come here and make themselves heard.

Superimpose upon that, if you will please, these very finely dressed gentlemen who come here every Monday and Tuesday, and will stay through until Friday. I am only putting a plug in for them because I want their employers to realize they are here working on the job.

When these gentlemen who are here finish button-holing everybody on this floor—and that goes for the gentlemen on this side as well as the gentlemen on the other side—and making their wishes known and making their pleas, we are all put in the juxtaposition of trying to achieve a result that will be fair, that will be equitable and that will provide for the needs of the people. By the same token, we are also in this awkward posture of having to face these same people, who have certain pressures they



can bring to bear, to take them out, to take their friends out, or to at least put in someone else.

These very same gentlemen in the same breath that they are telling you that you are going to injure them, either their industry or their particular activity, are talking about people that they know well and who have a problem which they would like the State to solve. Why they do not talk with themselves, before they talk with us, and come to a clear solution on both of these problems escapes me. However, that is the way life is up here, and I think that we are not unmindful of it.

I would like to expand a little bit upon what Senator Seyler said because I think his point was well taken. In deciding on any tax program, not only must the criteria be met of whether the tax must be raised, whether there is a need for it, and whether it is the best tax; but I think there is a fourth point which he made in passing, rather than as a point itself. I think that is, can you pass this tax program once you have decided on it? This is more important in the practical aspect of this than whether the other three criteria are met. I think I would be less than candid with you if I did not say to you that we are of the Minority Party in this Chamber. Being in the minority position, I think our duty—as a party which has the Administration at heart and also desires to assist with what they are trying to carry out in the way of their programs—is to do what we can to aid in raising these funds so that the Administration can carry out its programs and its pledges made to the people.

Being in the minority position, suppose I were to today promise, along with the other gentlemen sitting on this side, that we would vote all our Members for this particular tax. The best that we could achieve is less than a majority. Having achieved that, we would not have passed the program, so that we would not have provided enough money to carry out what our problems are. The Governor, finding himself in that position, then realized that he must do something affirmative. He just could not sit back and wait for the Legislature to take action itself. Therefore, he tried before he was sworn into office, to get together the best possible minds that he could find, trying to touch upon all possible interests that could be concerned, and have them meet and try to have them evolve a program that would be palatable to everyone here. That was the Hood-Kennedy Report. I do not want to recount ancient history. However, I believe it was February of this year that the Governor had all the responsible Members who make up both Bodies meet in the Governor's Mansion to go over the Hood-Kennedy Report, with the members who made up that committee present.

At the conclusion of the reading of that report, I do not believe anyone voiced an objection to the report, other than perhaps to ask a question or two. I do not believe that anyone has ever taken exception to this report or even taken the committee to task. No one got up on the Floor and said, "This is a terrible program. I am not for it, and I will never vote for this program."

What did actually happen? The machinery was put into operation by these very fine gentlemen—who sit here with us, and who also accompany us occasionally on little trips and once in awhile try to buy dinners for some of the gentlemen here—then saying that this Hood-Kennedy report was bad. Unfortunately, none of this ever got into the record, and none of them ever came to anyone here and asked that they be a spokesman for them. However, im-

mediately this report and the activities of this committee were abrogated by the very fact that a firm position was taken; that we would veto any legislation that dealt with this report, and we would not support it.

There were problems on both sides in getting this report before us, and so the first part of this report, the three and one-half per cent sales tax, came to us with certain modifications and I believe that everyone of the Members sitting on this side voted for this program. We had hoped that this, with some of the other programs presented by the Hood-Kennedy Committee, would come over here and receive favorable consideration so that we could provide the necessary funds. However, that was not to be. The motion that had been set in action was too strong and too powerful, and some of the Members, unfortunately, felt that they had to go along with some of these people who were their friends and who had befriended them in years past and try to meet their particular objections. When this was done, we found that we had no uniform program, and that the best that we could get out of it was possibly a compromise, and even this would not be too good because there would still be quite a bit of money lacking.

I would like to point out here, gentlemen, in passing, that even if we pass the four per cent sales tax, we have not solved the State's fiscal problem, nor are we providing enough money to carry out the programs as indicated in the Governor's budget.

I have so far, and that is up to the present date, not heard of any cut being made in any department or in any area. If such a cut is contemplated, I am completely and totally ignorant of it, as I believe are most of the Members on this side as well. Even though we have asked a number of times whether we need less money and where is the area where we need less money, we have not been so informed by anyone in a responsible position on the other side or at least, informed of the areas where they are intending to make these cuts or whether there would be some discussion in regard to this type of desire.

Unfortunately, as the Senator from York pointed out, the people do not know what is going on. This is because of the earlier discussion that I gave here regarding the newspapers and other media that are interested in fostering certain activities which best suit their needs or their desires. So, the people do not really have an idea of the kind of problems that we face up here, how we go about solving them or what finally takes place. The best thing we will probably get out of today's activity is discussion or debate, and most of that will probably be relegated to the last page, and that which does appear on the last page will probably castigate the gentlemen sitting on this side, which is par for the course on any given day.

One of the other things that I think we are a little bit confused about—and I would like to say this unequivocally, as I have said before on this Floor, and also stated to the gentlemen of the press and through any other media I have had the opportunity to meet—is that I am against the sales tax. It is alleged to be a broad-base tax. However, how can you have a broad-base tax when you have the same taxation hitting the same persons again and again and again? The persons who are being hit the hardest by this are those people least able to pay it. The man with a family is constantly struck by this tax. The individual, who is a wage earner, is hit again and again. The gentlemen who can afford to pay a tax,



and pay a fair share of it, never quite get around to it because of the economic situation and our social life being what it is.

I am sure there is not a gentleman sitting in this room, if we were to vote at this minute for any kind of welfare or social legislation, who would be against it. However, the problem that I seem to have most of the time is that if you are voting for this type of legislation and are interested in it, why not do something to implement it? It is very easy to vote for appropriations and vote for people who are in need. It makes good sense, it is good public relations, and it is even helpful in the District where you come from. However, when we get around to talking about supplying the money for these activities, the first cry we hear is inflation. The next cry is that we do not need it, and the third thing we hear is maladministration of these funds, if they are ever received. Sometimes we go a little further if we are out on the stump, and we hear people say **this** is strictly political and it is only a means of **providing jobs**.

All of us, I think, have **been here** long enough to realize that regardless of **which party** is in power, they all try generally to do a **good job** in taking care of the needy and the sick. I do not always say that the approach by both parties is the same. In my humble opinion, I feel that the Democratic Party has taken a rather lighter and possibly a more liberal approach to this problem, but, as I say, that is merely my opinion of the process.

Gentlemen, I do not see how we can fail—after we work on this legislation which is before us today and try to do the best we can with it—to not trot out some of the other bills that have passed the House and some that are now in committees in the Senate and at least have a look-see at these other types of taxation. I do not think that we can take the position that it is a sales tax first, last and always and the people be damned. I think that is a very shortsighted, and a very narrow attitude. I think it is one which ill-becomes us, and I think it behooves us to at least look into these other forms of taxation. If we cannot get any action in this Session, at least we will be laying the groundwork and the foundation toward doing a better job in the next Session or the biennia to come.

I would like to also state here that many of us on this side who have never voted for a sales tax, who have been against it and who have spoken against it very vigorously, I believe are wrestling with our own consciences. However, if we resolve in favor of this tax, it will be because we feel the needs of the people must be met and that we are not particularly concerned about spending a great deal of time in this room with nothing else further happening in the way of helping the people.

I do not believe that any of us have been elected, regardless of the area we come from or regardless of our political affiliation, to remain here over a long period of time wrangling without any kind of result coming out of our work or out of our efforts.

I, therefore, state here for the record, that although the Democratic Party has been opposed to this tax and has taken a firm position against it, if we resolve in favor of voting for this tax, it is with great reluctance and it only because we realize that we are a **Minority Party**, that we cannot do anything, and that we find ourselves in the throes of trying to accomplish a dual purpose; one, to

aid the people; and, second of all, to clean up our business so that the State can get on with its business.

Mr. MAHADY. Mr. President, I want to draw to the attention of this Body the first sentence of the preamble to this Act. It is labeled: "An act to provide revenue for purposes of public education."

I think that sentence explains really what is happening here today. Since the fourth estate has been mentioned, I think it should be mentioned again. If there is anything which they have fallen down on it is the fact that they have not communicated to the public. The letters that I have received from my constituents, and from throughout the Commonwealth, certainly accentuate the fact that the people do not realize that the four per cent sales tax or the three and one-half per cent sales tax is to provide revenue for public education.

There is no question about the fact—as one of the great Lords of England, in the House of Lords, said—that newspapers thrive on controversy, as of necessity. When people agree, it is not news. It is the controversy and the tax which, naturally, to the reporter is the news. The job of his editor is to educate and to explain to the public.

The fact here today remains, however,—and I say it to all of you, on both sides of the aisle—that when it is generally known and accepted that the only tax which can be passed for this purpose is the four per cent tax, then it is high time that public education not be a part of politics and that no group or individual will say, "We are not assuming the onus for education to have the bare necessities." Members from both sides of the aisle have gotten up and said that this is not enough money for education and that we are going to need more. This is not enough and, yet, they say there are four Members on their side who will vote money for education.

Are we playing politics with education or are we saying, "How many are there in the Hall today who will lay aside what they think to be best and to be practical, in the interest of education?" How many are saying, "We cannot get the money anywhere else so, regardless of our personal feelings, our personal thoughts or what we personally desire, we will be practical and we will provide the money." If there is a responsibility of losing office or losing an election, we are not interested in that. The primary consideration is, are we going to have schools with the basic necessities and the basic money necessary for them?

Mr. LANE. Mr. President and Members of the Senate, I did not plan on talking very much today about this legislation. However, I thought I would make a few passing remarks and then sit down.

First, Mr. President, I want to say that Senator Stiefel mentioned something here in regard to the phrase which I coined yesterday. I meant that phrase as humorous. I do not want the gentleman whom I mentioned to think that it was personal or any affront to their dignity. I have the highest respect for them and I feel that they certainly are astute politicians because they have maneuvered us into the position of being on the defensive all the time, all during this Session.

I thought I knew a little bit about politics, but at this Session I received a liberal education. I find them in a position whereby they are demanding twenty-two votes for their tax program.

Mr. President, in explaining my position in regard to



this tax program, let me say this to you. My father, who I always thought was a very great man, a man who served with great distinction in the Halls of this Legislature long before I came here, always told me, "Be thine own true self and be a believer in your own convictions. When you feel you are right, although it may be unpopular, you follow through with your convictions." Naturally, I cannot get that out of my system.

I did make one mistake, however, at this Session of the Legislature and I have regretted it ever since. That mistake was when I voted on this floor against increased pensions for some old firemen and some old policemen in the Pittsburgh area. I have regretted it ever since. If I had it to do over again, I would have rolled up my sleeves and battled for them because I guess I must be a humanitarian.

Let me also say, Mr. President, that these tax study committees which are created—and I would also say selected by—the Executive Branch, of course, consist of distinguished individuals. However, they have not been elected to anything. They concoct a program and hand it to the Legislature. I served under John Fine on a tax study committee with a number of outsiders. That tax program did not get off the ground. If we are going to have a tax study committee, it should consist of Members of the House and Senate, in my opinion, who could get together and actually determine what the needs are. Then, of course, they should take it to their respective Caucuses. That has not been the case.

I am going to say something else here that is a little bit unpopular. Someone mentioned education. I think if the Legislature of Pennsylvania had a little more determination and intestinal fortitude, we would get rid of some of the drones in public education who are drawing huge salaries and not doing anything for their money. People who have probably gone to a Teachers College for two years and never took any additional courses, whatsoever, are all eligible for these huge increases. Sure, it is becoming a monstrosity as far as taxes are concerned. However, we must think, too, of the taxpayers, of the little people.

I come from an area where, at the present time, it is a labor surplus area. We have thousands upon thousands of good people who are unemployed and willing to work. Do you think I am going to stand here and vote more taxes all the time? There are other tax programs besides this sales tax. I suggested something to the Members in the House quite some time ago. I had a bill prepared. Let us do something about taxing some of these pinball machines and things like that. After all, it may not amount to too much, but it will amount to some revenue for the Commonwealth of Pennsylvania. Let us not tax the little people all the time.

I guess I am rather conscientious in the position I take. I do not suppose that I will ever change. I believe every man here should vote his own conscience, not just for politics. I do not want to hurt the Administration. I think Governor Lawrence is one of the greatest men I ever knew. He never told me he was for a four per cent sales tax. Even if he would have, I do not suppose I would have voted for it. However, at the same time, we have passed some revenue measures. I think we should re-evaluate our position. Let us go over this tax program again, in

detail, and see whether we cannot come up with a better figure.

Mr. President, I am going to close my remarks by making this statement. I think one of our greatest forefathers, who was one of the founders of this great Nation, said: "Labor to keep alive in your breast that little spark of celestial fire called conscience."

Mr. HAYS. Mr. President and Members of the Senate I had a brief speech here to make, but the distinguished gentlemen from Washington and Westmoreland almost forced me into a second speech. However, I do know that the Lieutenant-Governor is supposed to make a speech in my town at 2:30 o'clock this afternoon and he is going to have trouble making this appointment, thereby disappointing a lot of people up there, unless we bring this to a conclusion pretty soon.

The PRESIDENT. Senator Hays, I have until 4:15 o'clock.

Mr. HAYS. You should not give these gentlemen such liberty, Mr. President.

However, Mr. President, I must take exception to the remarks made by the gentleman from Westmoreland, whom I admire very much, because I have consistently maintained that putting this little phrase in the preamble of the Act about this money being for education is a kind of a snare and a delusion. We all know that it all goes into the general hopper.

Yesterday, one of my preceptors, Senator Barr, advised politicians never to write letters. I guess that is good advice, but about a month ago, before he got around to telling me that, I wrote a letter to the House leadership. I asked them to seriously consider a two per cent across-the-board sales tax. Therefore, I want to point out in the beginning that my vote for the two per cent across-the-board sales tax, yesterday, was not a desperation measure. If, as it seems apparent now, this four per cent tax is going to be voted down, I hope that serious consideration will be given to this two per cent tax. If the facts are true that it will secure as much in funds as the four per cent tax, I would hope that a majority of this Body would support it.

I got on this merry-go-round later than Senator Seyler. This is my third time around on the merry-go-round. I was on the 1955 merry-go-round, which took seventeen months. In the end, the Commonwealth received a tax program which the gentlemen on the other side, the Republican Party, wanted. In 1957, you will recall that the opposition was in control of both the House and the Senate and the Democrats had the Governorship. The tax program at that time, and the appropriations voted for at that time, were Republican taxes and Republican appropriations. We wound up with a \$135,000,000 deficit, I understand.

If this tax, which we are voting on today, only affected the twenty-eight young, not-so-young and old men on the other side, and the twenty-two young, not-so-young and old men on this side, this would be an easy decision. If the tax only affected the organizations whose central offices are located at 510 North Third Street and 15 North Front Street, in Harrisburg, this would be a relatively easy job. However, that is not true. This tax bill has a direct bearing and affects the mentally ill of this Commonwealth. It affects the blind and the near blind, the unemployed, and the children in every village, farm,



town and city. They are all citizens of this great Commonwealth of Pennsylvania, but have no vote other than the voice, at the present time, of the fifty men who make up this Senate. So far—I do not know whether they have not had the opportunity yet—no one has called this a good tax. According to Senator Seyler's criteria—he is pretty tough on these—it does meet one criterion, however, and that is that it will provide funds.

Therefore, Mr. President, as I approach my vote on this tax, I make it a kind of analogy with the case of my wife or son being stricken with a disease—and I declare to you that Pennsylvania is running a pretty high temperature, as I understand it, going \$118,000 in debt every day—and needing medical care and with our family physician being out of town. I would not refuse to go to another family physician. On the tax question, of course, the opposition has sent my favorite physician to the salt mines, I think, and I am not able to get at him. If I cannot reach my first physician, I will not allow my wife and son to suffer. I will go to the second choice physician. If they deny me the opportunity, and kidnap him and take him out of town, as they did with the two per cent sales tax yesterday, then I will go to another doctor to whom some of my friends go, even though I do not think his reputation is quite as good as my doctor or the second doctor, but some people who I know use him.

That is where I find myself, Mr. President, as I am about to vote for this four per cent tax. I hope that with my vote, I may be joined by at least twenty-five other Senators.

Now what I am about to say is heresy. I think the greatest thing that could happen to Pennsylvania, since this is not a good tax, would be if thirteen of these Senators should be from one side of the aisle and thirteen from the other. I think this would be the most wonderful thing that could ever happen to Pennsylvania. I doubt whether it would hurt either political party.

Mr. MULLIN. Mr. President, I am going to vote for this tax measure today. However, in a broader sense, I do not consider myself as voting for the four per cent sales tax. I am thinking of the people who are going to be benefited by the revenue from this tax. I am voting for the people in the Philadelphia State Hospital. I am voting for the people in all the State Hospitals. I am voting for the people in all of the State positions of government where governmental responsibility is, in order to prevent anarchy in the Commonwealth of Pennsylvania and to keep Pennsylvania operating as a governmental entity.

At the same time, I realize, from a little publication which was on our desks this morning, that 26,000,000 people have incomes so low that they cannot purchase food which is necessary toward a healthy existence. I am certain that a goodly number of that 26,000,000 people are in the Commonwealth of Pennsylvania. As a matter of fact, I know hundreds of them myself. I also know that the money from this tax is coming out of their incomes.

I see no sense in smooth politicians who think they can live a lie and say that this tax is a person's tax or somebody else's tax or some party's responsibility. I do not think that is smooth politics.

A man named Matthew Quay, many years ago, as a Senator in Washington, D. C., said that he did not like

President Benjamin Harrison because he wore the seat of his trousers too close to the ground. I think that is what is happening here. He meant that Benjamin Harrison was a crude politician and he did not have the refinement of a politician which Mr. Quay considered that he had. I also know that his criticism was correct because Benjamin Harrison served only one term and he was succeeded, I believe, by Grover Cleveland.

I am not influenced by any of those crude, political lies which are being lived in this Majority Party in the Senate today. I intend to vote for this tax for the reason that I stated. I believe the people of Pennsylvania, and I think of my District, realizing that nothing else could happen, would want me to vote that way.

Mr. DONOLOW. Mr. President, I have sat here and listened with great interest to the men on my side of the aisle, who all spoke with great sincerity and with great belief, no matter what position on this bill they have taken. I do not think that any man, who has taken the microphone here today in this Senate, had anything but sincerity in his heart when he advocated his position.

Mr. President, I have sat in this Senate for a few years. I have seen many bills on the Calendar being considered. However, in all my experiences in this Chamber, I have never seen a bill that has been handled more like a hot potato, or as the unwanted child or illegitimate child of either Party, than House Bill No. 1285 which we have before us today. The Republicans say that they want no part of it. They have the votes to pass it or defeat it. They say they will only give us four. I hear, however, on the floor that perhaps the newspapermen misquoted some of these men on the other side and, maybe, we will get more than four votes. We will see when the roll is called whether the newspapermen did their job properly.

However, Mr. President, no one wants to claim either authorship or relationship to this bill. My Democratic colleagues claim that the bill is no good and I think they agree on the four per cent. The theory, however, is that we must pass this bill because we need money. We need our hospitals and our educational institutions. Our other services throughout this Commonwealth must be provided for.

I took a pledge, along with the forty-eight other Senators sitting in this Chamber, that I would vote for appropriations. I reiterate that pledge here today; that I will vote for appropriations. I will vote for money for hospitals, I will vote for money for the mentally ill, and I will vote for money for public assistance. However, I will vote for a tax bill that is fair and just to the people of Pennsylvania.

They say, "I will vote for the four per cent sales tax because we need this money." Does that justify casting a vote for a bill that is not just, not fair and not equitable to any man? It is just like representing a criminal in the courtrooms and saying to the Judge, "My client robbed a bank because he has five children at home to support." That kind of a defense or explanation has never been accepted. You do not justify an act which is unreasonable because you have something of an obligation to fulfill. I am mindful as far as my obligation to the people in Pennsylvania is concerned. I am as mindful of my obligation to those who are in mental institutions and in the schools as any other man in this Senate. However, I am not going to do it at the expense of the little man. I am



not going to do it at the expense of the workingman, and I am not going to do it at the expense of those who are least able to pay.

As I said on this floor yesterday, and I will repeat here again today, I am for a bill where all of us will put our shoulders to the wheel and all of us will kick in to the kitty. Industry is no more of an exception than the man with the pick and shovel. I have no more right, because I own stock and mortgages, to be exempt from a personal property tax than the little man with ten children who has to pay a sales tax of four per cent. Because I have the ability to earn, and I hold stock, is no reason for a personal property tax bill to be lying in committee and thus saddling the little people of Pennsylvania with a four per cent sales tax. It is wrong to take the candy away from the children in my district. A lot of the families cannot afford it. It is wrong to take away the soda water, the pop and the other little luxuries of life.

Therefore, Mr. President, I will not vote for this bill. In talking about appropriations, I am happy to see my colleague from Philadelphia, Senator Stiefel, standing here with his hat in hand, pleading, if you will, that our Philadelphia General Hospital will be considered; pleading that Philadelphia will be brought into the county health plan and pleading that our port we will be taken care of. How about that? I would like to ask my colleagues, "Do you have a promise from the other side that we will be in the county health plan, that our Philadelphia General Hospital will be taken care of and that we will receive \$1,000,000 for our port in order for our people to obtain employment?" Yes, if we get that promise or if the other side will permit us to take back to our people the little meek things that we are asking for, maybe you are justified in saddling our people with a four per cent sales tax.

I tell you here today, and I make a prediction, that if you pass this four per cent tax and go home to Philadelphia, you will not get an appropriation for the Philadelphia General Hospital of four and one-half million dollars as you were promised in previous Sessions. You will not get three and one-half million dollars for the county health plan, and you can be sure of that. Unless we are promised what is due us and our people in Philadelphia get as much as they do in the rest of Pennsylvania,—our people have needs in Philadelphia as they do elsewhere—we have no right to saddle our people with this type of a tax.

Mr. McGINNIS. Mr. President, I think every Senator on this floor knows that I am a single taxer. If I had my way, I would nexer tax a thing which is made by the hand. However, I know that I could never push a bill like that through this Senate, and so we have this bill before us now.

I live near the State of Ohio where they have had a sales tax for many, many years and, during those years, I saw industry after industry move out of Pennsylvania into Ohio. Ohio is one of the most progressive States in the Union today. All of the States around us have sales taxes. I think we should make a climate here to hold our industries and give jobs to people.

We were here for seventeen months during the Leader Administration. We tried hard to put over a manufacturer's use tax and an income tax. I did not like either very well. A manufacturer's use tax would drive more industries

out of the State, and people do not like an income tax because they have to pay it in a lump. We pay our Federal Income Tax in a lump and we pay our real estate taxes in a lump, but with a sales tax we do not have to keep books, we do not have snoopers around to bother us and check up on us, and we pay a few cents daily.

When we first had the sales tax, people did not like it. They do not like any new tax. However, they have gotten used to it. They have gotten used to it, and they do not dislike it because they can pay every week and not be bothered with a lot of snoopers around.

There has been an atmosphere in this State for many years to soak the manufacturer—soak them. However, we are getting over that. This sales tax is one of the best taxes. It is a broad-base tax. It encourages industry to stay here and to come here. Since we have had the sales tax, more industries have come into Pennsylvania than in any other period.

I do not object too much to increasing the sales tax from three and one-half per cent to four per cent. We do not have one-half cent money in this State. I buy one dollar's worth of cigars at a time, and I pay one dollar and four cents. I do not pay three and one-half cents. Therefore, if we want to pass a tax to which the people are accustomed, let us pass this four per cent sales tax.

We passed a sales tax during the Leader Administration and have had a Democratic Governor since. I was elected last year and I got the biggest majority I ever received in my history, and I voted for the sales tax because I know that the people who pay the sales tax say that it is the easiest tax they ever paid. They pay it in dribs and drabs and when the year is over, it is all paid.

Mr. BERGER. Mr. President, I would not attempt to expound the philosophy of the broad-base tax, as represented by the sales tax, with any hope of achieving the explicit, clear and enlightening language that has been used by the gentleman from Allegheny County. Suffice it to say that as a philosophy of the tax,—as compared to other taxes called broad-base, but which in reality are not the broad-base type as is the sales tax—the sales tax is much superior in every respect.

However, Mr. President, although we may embrace the philosophy of the sales tax, the tax we have before us today is not such a tax as I would espouse. The only real reason, Mr. President—and we are inclined to overlook some obvious things in the discussion of these matters—that we have this bill in this form, as represented by House Bill No. 1285, is that it is the only tax measure that could be passed in the House of Representatives where there is a Democratic Majority. The type of sales tax which is embraced in the Hood-Kennedy recommendation, and which was submitted to the House of Representatives by Governor Lawrence, could not muster sufficient votes by the party in majority in that House to send it over here. I do not say what might have been done over here, but I think quite probably that tax might have met with considerable approval had it come over. However, it was impossible to get it over. Therefore, when you speak of alternative taxes, Mr. President, there is no alternative. This is the tax which is before the Senate of Pennsylvania to produce the revenue that the Governor says is required and obviously, money has to be raised in order to conduct the business of government.

We do not accept this tax as the type of sales tax



which we would have espoused. However, nevertheless, it is the one which bears the name of the Chairman of the Ways and Means Committee of the House. It has been sent over here with the statement that the Commonwealth must have money with which to operate. This is the bill that they sent us. Therefore, this is the bill that can be voted upon on the Floor of the Senate.

Mr. President, again stating the obvious, I find that much has been said about that side being in the Minority, and this side being in the Majority. Let me remind you at that this is the only place where that situation prevails. If I go over to the Office of the Governor, I cannot noticeably find many Republicans walking around there. Over in the House of Representatives, they have a majority of Democratic votes. Over here, it happens that we have a majority of Republican votes. Nevertheless, Mr. President, it is the obligation of the party in the majority to produce the tax revenues, and we realize—again the obvious—that being in the minority here, the Democrats cannot produce the full twenty-six constitutional votes required to pass a tax bill. Therefore, we must meet a responsibility on this side by providing the number of votes required to make up the twenty-six, and adding them to their twenty-two. That, in a very simple way, is exactly the position that we take, the position that we have taken all along, and the one we will continue to take here this afternoon.

Mr. WEINER. Mr. President, I realize that we are on a very serious matter and I do not want to inject a note of levity at this point. However, I think it would be perfectly in order that we give a vote of confidence to the newspapermen sitting over here and tell them that we really love them, except that we recognize the awkward position in which they find themselves from time to time.

I think another thing we should say here, before we go on to vote on this bill, is that we are trying in our own way,—and by using the handicaps that we have before us, which we fully realize are present all the time—to do the best job that we can for the people who live in this State.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, not having heard my name called, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. STIEFEL. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—18

Barr,	McCreesh,	Ripp,	Silvert,
DiSilvestro,	McGinnis,	Rooney,	Taylor,
Hays,	Miller,	Ruth,	Van Sant,
Kessler,	Mullin,	Sarraf,	Whalley,
Mahady,	Murray,		

## NAYS—30

Berger,	Fleming,	Mallery,	Stevenson,
Blass,	Harney,	McMenamin,	Stiefel,
Camiel,	Kalman,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Koprivier, Jr.,	Scott,	Walker,
Donolow,	Kromer,	Seyler,	Watkins,
Ehrgood,	Lane,	Shafer,	Weiner,
Elliott,	Madigan,		

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

## RECESS

Mr. WEINER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Democratic Caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

## RECONSIDERATION OF HOUSE BILL No. 1285

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1285, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services providing certain exemptions providing for uncollectible accounts adding provisions concerning refunds increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

failed of passage on Final Passage at today's session.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. STIEFEL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—26

Barr,	Kessler,	Mullin,	Silvert,
Camiel,	Mahady,	Murray,	Stiefel,
DiSilvestro,	Mallery,	Ripp,	Taylor,
Donolow,	McCreesh,	Rooney,	Van Sant,
Fleming,	McGinnis,	Ruth,	Weiner,
Hays,	McMenamin,	Sarraf,	Whalley,
Kalman,	Miller,		

## NAYS—22

Berger,	Flack,	Madigan,	Stevenson,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Koprivier, Jr.,	Scott,	Walker,
Ehrgood,	Kromer,	Seyler,	Watkins,
Elliott,	Lane,	Shafer,	Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

### REMAINING BILLS ON CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

### PERSONAL PRIVILEGE

Mr. MALLERY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman will state it.

Mr. MALLERY. Mr. President, I have no apology to make for my vote. I have been in politics for quite some time and I have always considered the sales tax as one of the fairest taxes.

In other Sessions of the Legislature, we have been here for months trying to arrive on the passage of a bill to defray the various costs of operating the affairs of this great Commonwealth. I understand that every day we spend here, the Commonwealth is losing \$1,000,000 or more a week. We could remain here for four or five months and eventually find ourselves in the same condition as the State of Michigan.

Always being in favor of a sales tax, as I have stated, I felt it my duty to vote for this bill, regardless of what the other Members of the Legislature might do. I feel that I am doing a real service, not only to the constituents of the two counties of Huntingdon and Blair, which I have the privilege of representing, but because I think it is the only way and the fairest way of solving our problems.

I have been told, and I believe reliably so, that if we had a tax across-the-board, the farming industry would not enjoy the exemptions that it now enjoys. Therefore, I feel that I am doing what my conscience tells me is the right thing to do, and that I am doing a real service to my constituents and to all of the people of this Commonwealth.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 193, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways, . . ." changing a route and adding a new route in Delaware County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 398, entitled:

An Act amending "The Tractor Code," approved May 1, 1929 (P. L. 1005), providing for the issuance of permits for the movement of certain equipment of excessive size or weight.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1207, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1537, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing provisions relating to the keeping open of schools.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Thursday, August 20, 1959, at 11:00 o'clock, a. m., Eastern Standard Time.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:19 o'clock, p. m., Eastern Standard Time, until Thursday, August 20, 1959, at 11:00 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 19, 1959

The House met at 9:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, in the beauty and glory of this day we recognize Thy majestic power. As we come to Thee in prayer, praise, and thanksgiving, enable us to sense Thy presence; and quicken us to call upon Thee for the guidance which Thou hast to give, and help us to follow the same. Especially, do we ask Thee to be with the members of this House of Representatives. Guide them in the deliberations of this day, watch over them during the remainder of this week, and inspire them during the remainder of this session with Thy Holy Spirit. In Jesus' precious name. Amen.

The SPEAKER. The Chair is requesting the gentleman from Greene to preside, the Chair hopes throughout the day. The gentleman from Greene we think, needs a rest, and presiding he will probably find restfulness compared with his former duties. The Chair will not presume to take the floor to fill or attempt to fill the Floor Leader's duties. We are committing that into abler hands. We know that the gentleman from Greene while we would not be able to fill his shoes, will be quite competent in filling the Speaker's shoes. Ladies and gentlemen of the House, I present the gentleman from Greene.

Mr. McCANN IN THE CHAIR

## JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Tuesday, August 18, 1959 will be postponed until printed.

The Chair hears none.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

## BILLS INTRODUCED AND REFERRED

By Mr. POLEN. HOUSE BILL No. 2330.

An Act making an appropriation to the Department of Agriculture for the maintenance of a calfhood vaccination program.

Referred to the Committee on Appropriations.

By Messrs. SCHWARTZ, ASHTON and UJOBAL. HOUSE BILL No. 2331.

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township, Chester County, Pennsylvania, now used for purposes of the Embreeville State Hospital, Embreeville, Pennsylvania, to the Department of Public Instruction.

Referred to the Committee on State Government.

By Messrs. RUDISILL, LAMB, AUKER and STECKEL. HOUSE BILL No. 2332.

An Act reenacting and amending the act of June 21, 1957 (P. L. 30) entitled "An act requiring that meetings of the governing bodies of political subdivisions and certain authorities and other agencies performing essential governmental functions shall be open to the public, requiring public notice of such meetings and describing penalties.

Referred to the Committee on State Government.

By Messrs. SNIDER, BELL, BONNER, HELM, ANDREWS, McCANN and POLEN. HOUSE BILL No. 2333.

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), increasing certain annuities and compensation.

Referred to the Committee on Appropriations.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. STONER, LIGHT, POLEN and Mrs. REIBMAN. RESOLUTION No. 104.

In the House of Representatives, August 18, 1959.

The present system of school operation, administration and financing by districts in many instances creates tax inequities and imposes unnecessary burdens on parents and children alike.

Districts consisting solely of residential areas are finding it almost impossible to provide proper facilities with the proceeds from reasonable taxation, while districts having industry within their boundaries have few financial worries in continuing their education programs.

In many districts, single and combined, school children spend several unrewarding hours a day just riding a school bus when there are schools nearby, but which happen to be in a different district.

A duplication of supervisory functions is also a costly and yet a common attribute of our present school system; therefore, be it

Resolved, That the Joint State Government Commission study the administration, operation and financing of public education in terms of county-wide units rather than the existing school districts; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations, together with drafts of legislation necessary to carry its recommendations into effect, at the beginning of the next regular session of the General Assembly.

Referred to the Committee on Rules.

## SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 37.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing temporary investment of township funds.

SENATE BILL No. 170.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.



## SENATE BILL No. 171.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the zoning board of adjustment must give their decision within forty-five days.

## SENATE BILL No. 172.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

## SENATE BILL No. 325.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. PURSLEY for today for the purpose of attending the funeral of former Republican State Committeeman.

Mr. Tompkins for Mr. BOWER for today for the purpose of attending the funeral of former Republican State Committeeman.

Mr. Tompkins for Mr. H. P. MURRAY for today for the purpose of attending the funeral of former Republican State Committeeman.

Mr. Tompkins for Mr. BORIS for today.

Mr. Tompkins for Mr. HEFFNER for today for the purpose of attending the funeral of Judge Palmer.

Mr. Tompkins for Mr. UJOBAL for today.

## REPORT FROM COMMITTEE

Mr. WILLAREDT from the Committee on Public Utilities and Corporations, reported as committed, Senate Bill No. 587, entitled:

An Act amending the act of February 9, 1901 (P. L. 6) entitled "An act to permit the classification by railroad railway and transportation corporations of their boards of directors or managers" providing that the classes of directors or managers of such companies shall be as nearly equal in number as possible.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act amending the act of February 9, 1901 (P. L. 6) entitled, "An act to permit the classification by railroad railway and transportation corporations of their boards of directors or managers" providing that the classes of directors or managers of such companies shall be as nearly equal in number as possible.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## NEW YORK CITY CAMPERS WELCOMED

The SPEAKER pro tempore, The Chair welcomes to the Hall of the House campers of Camp Starlight from

New York City. They have been visiting the House and we certainly welcome them.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act establishing as State highways certain county highways or sections thereof tunnels, bridges, viaducts and approaches thereto in counties of the second class and requiring their construction repair and maintenance by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 2120, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), prescribing an alternative method for fixing the rates of certain common carriers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2164, entitled:

An Act requiring the Department of Labor and Industry to fill and beautify abandoned quarries under certain conditions and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2239, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled as amended "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the first class as State Highways \* \* \* and appropriating money in the Motor License Fund for the purpose of this act eliminating certain restrictions" changing certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the education and training of pregnant children imposing duties on certain boards of school directors and providing for payments by the Commonwealth.

The first section was read.

Oo the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. LOPRESTI. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 767, entitled:

An Act amending the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168), excluding the Commonwealth and its political subdivisions from the definition of employer.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 790, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition for employment.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 802, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. LOPRESTI. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1794, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), requiring plastic bags to be marked with a warning label.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2072, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended "An act to provide for the safety and

to protect the health and morals of persons while employed \* \* \*" requiring employers to furnish personal protective devices free of charge.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2101, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations" etc. by including certain persons or corporations using or furnishing for use dump trucks for the transportation of excavated or road construction materials within the definition of "common carrier by motor vehicle" or of "contract carrier by motor vehicle."

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2291, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the sale of starter pistols to minors.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" providing for additional payments to certain school districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts \* \* \*" providing for biennial certification of market values in odd numbered years and further regulating appeals and certification.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

#### BILLS PASSED OVER

The SPEAKER pro tempore. Without objection, all Senate Bills on pages 5 and 6 with the exception of Senate Bill No. 685 will be passed over temporarily.

The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 685, entitled:



An Act repealing section 802 of the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" relating to the use of textbooks for a period of not less than five years.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 815, entitled:

An Act amending the act of April 14, 1927 (P. L. 297) entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof \* \* \*" clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927 (P. L. 297) as amended.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 831, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the determination of tuition charges for pupils of other districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 941, entitled:

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

## BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

### BILL PASSED OVER

There being no objection

House Bill No. 274, Printer's No. 1390, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1427, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to request that a certified check accompany bids for contracts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—183

Agnew,	Garlock,	McCormack,	Rudisill,
Anderson,	Gelfand,	McDonald,	Sakulsky,
Arlene,	George,	McInroy,	Scarcelli,
Ashton,	Gibb,	McLaughlin,	Schaaf,
Auker,	Goldstein,	Machmer,	Schuster,
Balthaser,	Goodrich,	Magee,	Schwartz,
Blair,	Gramlich,	Mahan,	Seltzer,
Boles,	Hamilton,	Markley,	Sherman,
Bowman,	Helm,	Maxwell,	Shupnik,
Branca,	Henzel,	Meholchick,	Silverman,
Brenninger,	Hocker,	Merry,	Snider,
Breth,	Holliday,	Mihm,	Stank,
Buchanan,	Holt,	Miller, B. Z.,	Steckel,
Burns,	Horst,	Miller, H. G.,	Stevens,
Capano,	Irvis,	Mills,	Stewart,
Capitolo,	Isaacs,	Monroe,	Stimmel,
Cianfrani,	Jenkins,	Muldowney,	Stone,
Cioffi,	Jim,	Mullen,	Stoner,
Clarke,	Johnson, A. W.,	Munley,	Strausser,
Comer,	Johnson, R.,	Murphy, P. J.,	Stroup,
Crossin,	Jones, F. R.,	Murray, J. J.,	Taylor,
Curwood,	Jones, T. H. W.,	Musto,	Tompkins,
Davis,	Jump,	Naugle,	Trusio,
Dengler,	Kamyk,	Needham,	Varallo,
Dennis,	Kee,	Nelson,	Varner,
Devlin,	Keiser,	O'Dell,	Verona,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Wall,
Dougherty,	Kessler,	O'Donnell, J. P.,	Walsh,
Down,	Knecht,	Odorisio,	Wargo,
Edwards,	Kooker,	Ogilvie,	Weidner,
Ellberg,	Kornick,	O'Neil,	Welsh,
Eshback,	Korns,	Parlante,	Wheeler,
Ewing,	Kovolenko,	Pashley,	Whittaker,
Farabaugh,	Kubitsky,	Perry, H. H.,	Williams, A. D., Jr.,
Fetterolf,	Lamb,	Perry, P. E.,	Williams, E. S.,
Filo,	Lee, A. M.,	Petrosky,	Willard,
Fineman,	Lee, K. B.,	Polaski,	Willaredt,
Floyd,	Leonard,	Polen,	Wilt,
Flynn,	Light,	Prendergast,	Wood,
Foerster,	Limper,	Price,	Worley,
Fox,	Lippincott,	Reibman,	Wynd,
Frank,	Lopresti,	Reidenbach,	Yatron,
Frascella,	Luigard,	Renwick,	Yetter,
Fulmer,	Lutty,	Rigby,	Zimmerman,
Galley,	McCandless,	Riley,	Andrews,
Gallagher,	McCann,	Rovanssek,	Speaker

### NAYS—0

### NOT VOTING—25

Barton,	Dennison,	McKeever,	Royer,
Bell,	Donaldson,	Moran,	Snare,
Bonner,	Eshleman,	Murphy, A. J., Jr.,	Sullivan,
Boris,	Guthrie,	Murray, H. P.	Thompson,
Bower,	Heavey,	Murray, P. G.,	Ujobal,
Brown,	Heffner,	Pursley,	Wescott,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

### BILLS PASSED OVER

The SPEAKER pro tempore. Without objection, all bills on final passage on pages 8 and 9 with the exception of House Bill No. 1542 will be passed over temporarily.

The Chair hears none.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1542, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804) entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof \* \* \*" changing the provisions regulating the age at which a member of the police force may retire.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—91

Anderson,	Foerster,	Meholchick,	Schuster,
Auker,	Frank,	Mihm,	Schwartz,
Botes,	Frascella,	Miller, H. G.,	Sherman,
Branca,	Hamilton,	Mills,	Shupnik,
Breth,	Holt,	Monroe,	Silverman,
Burns,	Horst,	Muldowney,	Snider,
Capano,	Irviss,	Mullen,	Stank,
Capitolo,	Jenkins,	Munley,	Stewart,
Cianfrani,	Jim,	Murray, J. J.,	Stone,
Cioffi,	Jones, F. R.,	Needham,	Stroup,
Clarke,	Jump,	O'Donnell, J. P.,	Taylor,
Comer,	Kamyk,	O'Neill,	Trusio,
Crossin,	Kee,	Parlante,	Varallo,
Curwood,	Kornick,	Pashley,	Wargo,
Dennis,	Kovolenko,	Perry, P. E.,	Welsh,
Devlin,	Kubitsky,	Petrosky,	Wheeler,
Dougherty,	Lamb,	Polaski,	Williams, E. S.,
Eilberg,	Leonard,	Prendergast,	Worley,
Eshback,	Limper,	Reidenbach,	Yatron,
Ewing,	Luigard,	Riley,	Yetter,
Fineman,	McCann,	Rovansek,	Zimmerman,
Floyd,	McCormack,	Sakulsky,	Andrews,
Flynn,	McDonald,	Scarcelli,	Speaker

#### NAYS—92

Agnew,	George,	Lutty,	Rigby,
Arlene,	Gibb,	McCandless,	Royer,
Ashton,	Goldstein,	McInroy,	Rudisill,
Balthaser,	Goodrich,	McLaughlin,	Seltzer,
Blair,	Gramlich,	Machmer,	Steckel,
Bowman,	Heim,	Magee,	Stevens,
Brenninger,	Henzel,	Mahan,	Stimmel,
Buchanan,	Hocker,	Markley,	Stoner,
Davis,	Holliday,	Maxwell,	Strausser,
Dengler,	Isaacs,	Merry,	Tompkins,
Donahue,	Johnson, A. W.,	Miller, B. Z.,	Varner,
Down,	Johnson, R.,	Murphy, P. J.,	Verona,
Edwards,	Jones, T. H. W.,	Naugle,	Wall,
Eshleman,	Kelser,	Nelson,	Walsh,
Farabaugh,	Kernaghan,	O'Dell,	Weidner,
Fetterolf,	Knecht,	O'Donnell, J. A.,	Wescott,
Filo,	Kooker,	Odorisio,	Whittaker,
Fox,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Fulmer,	Lee, A. M.,	Perry, H. H.,	Willard,
Galley,	Lee, K. B.,	Polen,	Willaredt,
Gallagher,	Light,	Price,	Wilt,
Garlock,	Lippincott,	Reibman,	Wood,
Gelfand,	Lopresti,	Renwick,	Wynd,

#### NOT VOTING—25

Barton,	Dennison,	McKeever,	Pursley,
Bell,	Donaldson,	Moran,	SchAAF,
Bonner,	Guthrie,	Murphy, A. J., Jr.,	Snare,
Boris,	Heavey,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Kessler,	Musto,	Ujobal,
Cooper,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet the session of the House.

#### REPORTS FROM COMMITTEE

Mr. HELM from the Committee on Appropriations, reported as amended, House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood Control purposes.

Mr. PARLANTE from the Committee on Motor Vehicles, re-reported as amended, Senate Bill No. 56, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revision the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age.

Mr. HELM from the Committee on Appropriations, reported as committed, House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Mr. HELM from the Committee on Appropriations, reported as committed, House Bill 2326, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House Bill No. 389, entitled:

An Act amending the "Veterans Preference Act of 1957" approved July 8, 1957 (P. L. 557) excepting second class county employees from provisions relating to option retirement contribution rights.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 496, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the reimbursement payments on account of instruction in certain cases and including kindergarten units in determining the reimbursement fraction and the actual instruction expense definition.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 515, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 516, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in this Commonwealth and revising consolidating and making the law uniform relative thereto creating the State Auctioneers Commission conferring certain powers and duties on the commission and on certain departments and officers of the State and local governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill 607, entitled:



An Act authorizing the Governor under certain conditions to transfer certain funds to the Special Disaster Relief Fund to meet extreme emergencies and making appropriations necessary to effect such transfers.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 958, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949" (P. L. 30) including costs of grading sewage treatment plants and interests thereon in computing reimbursable rentals.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as amended, House Bill No. 1054, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the compensation of the State Board of Barber Examiners.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for promotions for certain persons.

Mrs. MUNLEY from the Committee on Appropriations, reported as committed, House Bill No. 2303, entitled:

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60) including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

Mrs. MUNLEY from the Committee on Appropriations, reported as committed, House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A), entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth \* \* \*" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

Mrs. KERNAGHAN from the Committee on Boroughs, reported as committed, House Bill No. 2318, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), permitting council to appeal from findings of the Civil Service Commission.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, Senate Bill No. 142, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" further defining persons eligible for public assistance.

Mr. FOX from the Committee on Boroughs, reported as committed, Senate Bill No. 175, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the purchase of public liability insurance.

Mr. AGNEW from the Committee on Boroughs, reported as committed, Senate Bill No. 326, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that applicants for the position of policeman or fireman need not be residents of the borough.

Mrs. MUNLEY from the Committee on Military Affairs, re-reported as committed, Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

Mr. HAMILTON from the Committee on Appropriations, reported as amended, Senate Bill No. 699, entitled:

An Act amending the act of June 4, 1943 (P. L. 886) entitled as amended "Municipal Employees' Retirement Law" defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

Mr. VERONA from the Committee on Boroughs, reported as committed, Senate Bill No. 857, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for an assistant borough secretary.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House Bill No. 556, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House Bill No. 557, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, House Bill No. 910, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the computation and payment of tuition charges for non-resident pupils.

Mrs. MUNLEY from the Committee on Appropriations, re-reported as committed, Senate Bill No. 141, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.



## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1777, entitled:

An Act making an appropriation to the State School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2303, entitled:

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60) including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A), entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth \* \* \*" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2318, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), permitting council to appeal from findings of the Civil Service Commission.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 175, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the purchase of public liability insurance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 326, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that applicants for the position of policeman or fireman need not be residents of the borough.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 857, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for an assistant borough secretary.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON THIRD READING

## BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 1123,

House Bill No. 309, Printer's No. 1197,

House Bill No. 325, Printer's No. 999 and

House Bill No. 348, Printer's No. 1199,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, the bill on which the House is now voting is intended to provide a continuity of government in case of a disastrous attack.

The bill provides that the Governor shall call the General Assembly into session and if he fails to do it within a period of 90 days after the attack then the Assembly will convene on its own, at which time the Speaker and the President pro tempore of the Senate will be present and if not present a temporary Speaker and a temporary President pro tempore are elected and then they in conjunction with the political leaders of the various counties appoint temporary Members of the Legislature to serve in the absence of the Members.

The bill provides that the temporary men will only serve as long as the Member himself is absent and is unavailable, then if the Member becomes available, his successor passes out of the picture, as it were. The bill provides that both the temporary man and the permanently elected legislator receive the emoluments of the office if the elected Member happens to be available at a later date.



This is more or less a compromise bill from the one that was previously introduced in the House. It is my personal opinion that this bill does a very good job, as good as can be done, providing for a continuous operation of our state government in case of an attack of a very bad nature. I think it is a good bill and I want to point out to the Members that this particular bill provides for a continuation of the General Assembly and also provides a method of selecting their successor in the event of an attack and the Member is not available.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Gallagher,	McCormack,	Rudisill,
Anderson,	Garlock,	McDonald,	Sakulsky,
Arlene,	Gelfand,	McInroy,	Scarcelli,
Ashton,	George,	McLaughlin,	Schaaf,
Auker,	Gibb,	Machmer,	Schuster,
Balthaser,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Hamilton,	Maxwell,	Shupnik,
Bowman,	Helm,	Meholchick,	Silverman,
Branca,	Henzel,	Merry,	Snider,
Brenninger,	Hocker,	Mihm,	Stank,
Breth,	Holliday,	Miller, B. Z.,	Steckel,
Buchanan,	Holt,	Miller, H. G.,	Stevens,
Burns,	Horst,	Mills,	Stewart,
Capano,	Irvs,	Monroe,	Stimmel,
Capitolo,	Isaacs,	Muldowney,	Stone,
Cianfrani,	Jenkins,	Mullen,	Stoner,
Cioffi,	Jim,	Munley,	Strausser,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Stroup,
Comer,	Johnson, R.,	Murray, J. J.,	Taylor,
Crossin,	Jones, F. R.,	Musto,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Varner,
Dennis,	Kee,	O'Dell,	Verona,
Devlin,	Kelser,	O'Donnell, J. A.,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kessler,	Odorisio,	Wargo,
Down,	Knecht,	Ogilvie,	Weidner,
Edwards,	Kooker,	O'Neil,	Welsh,
Ellberg,	Kornick,	Parlante,	Wescott,
Eshback,	Korns,	Pashley,	Wheeler,
Eshleman,	Kovolenko,	Perry, H. H.,	Whittaker,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Petrosky,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polaski,	Willard,
Flo,	Lee, K. B.,	Polen,	Willaredt,
Fineman,	Leonard,	Prendergast,	Wilt,
Floyd,	Light,	Price,	Wood,
Flynn,	Limper,	Reibman,	Worley,
Foerster,	Lippincott,	Reidenbach,	Wynd,
Fox,	Lopresti,	Renwick,	Yatron,
Frank,	Luigard,	Rigby,	Yetter,
Frascella,	Lutty,	Riley,	Zimmerman,
Fulmer,	McCandless,	Rovanssek,	Andrews,
Galley,	McCann,	Royer,	Speaker

## NAYS—0

## NOT VOTING—21

Barton,	Dennison,	McKeever,	Pursley,
Bell,	Donaldson,	Moran,	Snare,
Boris,	Guthrie,	Murphy, A. J., Jr.	Sullivan,
Bower,	Heavey,	Murray, H. P.,	Thompson,
Brown,	Heffner,	Murray, P. G.,	Ujobal,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1175, entitled:

An Act providing in the event of attack upon the United States for the continuity of the executive and judicial functions of the government of the Commonwealth and the governments of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivisions providing for special emergency judges and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, House Bill 1175 provides for the filling of vacancies in the judiciary in event of a serious attack.

This bill provides only for temporary appointments of judges who will be appointed so long as the judge is unavailable. In the event they determine there is a vacancy, the vacancy will finally be filled by the usual methods provided by the Constitution or by law, which in effect means the Governor will finally make the appointment, filling the vacancy.

This bill provides only for a temporary judge until it is determined whether or not the judge will be available or whether he will not longer be available, in which case the Governor would fill the vacancy. This temporary appointment would be made by the Supreme Court in consultation with the county chairman or political leaders of the party in which the sitting judge was a member when the disaster occurred. This again is a compromise bill designed to continue our state government in case of a disaster and an attack.

Mr. Speaker, I request that the Members vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Gallagher,	McCormack,	Rudisill,
Anderson,	Garlock,	McDonald,	Sakulsky,
Arlene,	Gelfand,	McInroy,	Scarcelli,
Ashton,	George,	McLaughlin,	Schaaf,
Auker,	Gibb,	Machmer,	Schuster,
Balthaser,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Sherman,
Bonner,	Hamilton,	Maxwell,	Shupnik,
Bowman,	Helm,	Meholchick,	Silverman,
Branca,	Henzel,	Merry,	Snider,
Brenninger,	Hocker,	Mihm,	Stank,
Breth,	Holliday,	Miller, B. Z.,	Steckel,
Buchanan,	Holt,	Miller, H. G.,	Stevens,
Burns,	Horst,	Mills,	Stewart,
Capano,	Irvs,	Monroe,	Stimmel,
Capitolo,	Isaacs,	Muldowney,	Stone,
Cianfrani,	Jenkins,	Mullen,	Stoner,
Cioffi,	Jim,	Munley,	Strausser,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Stroup,
Comer,	Johnson, R.,	Murray, J. J.,	Taylor,
Crossin,	Jones, F. R.,	Musto,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Varner,
Dennis,	Kee,	O'Dell,	Verona,
Devlin,	Kelser,	O'Donnell, J. A.,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kessler,	Odorisio,	Wargo,

Down,  
Edwards,  
Eilberg,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,  
Galley,

Knecht,  
Kooker,  
Kornick,  
Korns,  
Kovolenko,  
Kubitsky,  
Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Light,  
Limper,  
Lippincott,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,  
McCann,

Ogilvie,  
O'Neill,  
Parlante,  
Pashley,  
Perry, H. H.,  
Perry, P. E.,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Reibman,  
Reidenbach,  
Renwick,  
Rigby,  
Riley,  
Rovanske,  
Royer,

Weldner,  
Welsh,  
Wescott,  
Wheeler,  
Whittaker,  
Williams, A.D., Jr.,  
Williams, E. S.,  
Willard,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
**Speaker**

## NAYS—0

## NOT VOTING—21

Barton,  
Bell,  
Boris,  
Bower,  
Brown,  
Cooper,

Dennison,  
Donaldson,  
Guthrie,  
Heavey,  
Hefner,

McKeever,  
Moran,  
Murphy, A.J., Jr.,  
Murray, H. P.  
Murray, P. G.,

Pursley,  
Snare,  
Sullivan,  
Thompson,  
Ujobai,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Mr. LOPRESTI asked and obtained unanimous consent to call up out of order House Bill No. 263 on page 8 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, House Bill 263 is a joint resolution seeking to amend the Constitution of Pennsylvania to allow a graduated income tax.

This resolution, if passed by the House and Senate during this Session and one subsequent Session, will then be placed on the ballot for the people of Pennsylvania to decide whether or not under our Constitution we should permit the enactment of a graduated income tax law.

The bill as amended yesterday provides that we shall not have a sales tax and a graduated income tax enacted both at the same time. As I view the resolution it allows the people of the Commonwealth to make a choice as to whether or not they would prefer that this Commonwealth be financed mainly through a sales tax program or a graduated income tax program, using the exemption method also in the graduation.

We believe that the people of the Commonwealth should be allowed to make that choice. It is my personal belief that the graduated income tax method is perhaps a more fair and reasonable way of financing the services of the Commonwealth because it does give us a system of taxes based upon ability to pay. By the exemption method we

would be able to exclude the very, very low income group, and of course by the graduation the tax would be paid more readily on the part of those with ability to pay.

That, of course, is a matter of principle, a matter of one's individual belief. There are those who would believe that the sales tax is more fair and more equitable, and with those people who sincerely believe that I have no quarrel.

All that House Bill 263 does is to permit the people of the Commonwealth, the taxpayers themselves, to decide which method of taxation should be used, and I think on this particular subject we certainly can do no harm by allowing the people to select their own method of paying the Commonwealth's bills.

I think this is a good resolution and I believe it should be adopted today and I am asking the Members to vote for the bill.

Mr. HELM. Mr. Speaker, The gentleman from Cambria, Mr. Lopresti states that the intent of House Bill 263 is one that has no complications. I believe that the problem we are facing this morning is not just that simple. I think we are facing a problem that is almost insurmountable because of actions of this House that have gone on in the past, because of poor planning, because of the poor leadership.

On July 22, the majority saw fit to release from Committee House Bill 409, which was a joint resolution to amend the Constitution of the Commonwealth to exempt certain veterans from payment of taxes. This proposal would have amended Article 9, Section 1 of our Constitution.

Then on July 28, just six days later, the majority again saw fit to release from Committee House Bill 263, another joint resolution to amend the Constitution, this time by way of exempting income taxes from the requirement of uniformity. Again it was proposed to amend the same Section of the same Article of the Constitution.

We have seen House Bill 409 approved by the House by a vote of 196-0 and sent to the Senate. We have seen House Bill 263 approved, then later called back to be amended, to add a correction that was first called to the attention of the majority by the Members on this side of the House.

Unfortunately there is still a great deal of confusion concerning these two bills, that is, there is confusion if the majority is sincere in its efforts on both bills. If both bills are to be advanced, then the two must be combined, for as it is, on the one hand we propose to change a given section to read one thing, and on the other hand we propose to change the same section to read something else. We simply can not do both. If House Bill 409 is desirable and all the actions on House Bill 263 have been simply for the record, then we can ignore the confusion that the majority has permitted on this bill and examine 409, the one to exempt disabled veterans from payment of certain taxes. Since that was approved without any dissenting votes it would seem that its provisions are laudable and the Senate could be expected to give it serious consideration. Unfortunately, this bill also leads into confusion. The same error which was called to the attention of the majority on House Bill 263 has been permitted to be carried into House Bill 409. If this were



sent through and approved by the people it would have exactly the same effect as House Bill 263 in nullifying the amendment of 1958. Of course, there is always the possibility that the courts would when asked to act on the proposal throw the whole thing out by ruling that we are acting on the same thing, the same issue within the five-year period which is forbidden in our Constitution. So, I believe this whole thing sounds very confusing. I think that because of a lack of coordination in the thinking of the majority we have allowed this thing to get into a state of utter confusion and for that reason, for the reason that both bills cannot possibly be passed and acted upon on the ballot at the same time, I would ask the Members to vote against House Bill 263.

Mr. LOPRESTI. Mr. Speaker, it is not my belief that the voters should be asked to pass upon these two amendments in one bill. Certainly they deal with entirely different subjects. The one question dealing with veterans should not be allowed to confuse the vote on the income tax proposal. I believe that they should be submitted as separate bills and that we should have the people of the Commonwealth vote on them as separate amendments.

I know of no way that we can separate the issues other than by preparing two separate resolutions. These resolutions we will send to the Senate and at that point the Senate can make a choice and do with each of these resolutions as they see fit. We have already sent the one dealing with veterans over to the Senate and if there is something technically and legally wrong with it, it is my hope that the Senate will correct it and then we must find, I do not know, I am frank to confess at this point, I do not know how the question would be submitted separately, but I am of the firm belief that it should be submitted separately and that the vote on one should not be allowed to interfere with the vote on the other.

There are many people in Pennsylvania who will vote for the Constitutional amendment allowing exemptions to veterans who would vote against the one which we have today, and there are many people perhaps who would do vice versa—vote for the one we have today and against the one which we have for veterans. So it appears to me that they should be submitted to the people as separate Constitutional amendments. Just how it is done I am not prepared at this time to answer, but certainly, somewhere along the line there must be some constitutional expert who will be able to tell us how we can submit two separate questions dealing with the same Article of the Constitution so that they can be voted upon separately by the people of the Commonwealth.

Mr. HELM. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Lopresti.

The SPEAKER pro tempore. The gentleman from Armstrong, Mr. Helm, desires to interrogate the gentleman from Cambria, Mr. Lopresti. Will the gentleman from Cambria consent to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if both bills amend the same article and the same section of the Constitution.

Mr. LOPRESTI. I believe they do.

Mr. HELM. Is it the gentleman's opinion then that the two questions amending the same Article and the same

Section of the Constitution should be put on the same ballot at the same election?

Mr. LOPRESTI. I have said previously that I do not know the procedural aspects of the problem, but I do know this for certain that they should be submitted as separate questions whether at the same elections if possible, if not, then at a different election, but these questions should not be confused and joined one with the other. It is my opinion that we should send both resolutions over dealing with the separate subjects.

Mr. HELM. Mr. Speaker, I would like to inquire of the gentleman then if both of these bills pass the House and Senate this Session of the General Assembly, and these bills pass the House and the Senate of the next General Assembly, if both questions will not appear on the same ballot?

Mr. LOPRESTI. Mr. Speaker, the answer to that question would be this, that between this Session and the next Session the Legislature and the courts, perhaps a ruling from the Attorney General, we would have to decide whether or not they can be submitted on the same ballot and both of them be given a vote. If not, in the next Session of the Legislature this body and the Senate would have to make a choice of either this resolution or the other resolution and see which one to submit to the people of the Commonwealth first.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman then if he feels that way, we should have a ruling from the Attorney General, if he would not be willing at this point in the proceedings to hold up action on this bill and get an immediate opinion from the Attorney General as to how the question can be put on the ballot.

Mr. LOPRESTI. It seems to me that today we are voting on the substance of the amendment, rather than the procedure, and since we have another entire Session before us, and since the bill will go over to the Senate, today we are expressing an attitude or an opinion regarding the substance of the bill, not the procedure. We have a lot of time to determine the procedure, and I can see no reason to delay a vote on the substantive matter contained in the particular resolution. The question before us now is, do we favor an income tax resolution or not?

Mr. HELM. Mr. Speaker, could I inquire of the gentleman if he is in effect stating that he is only trying to set forth today the legislative intent, that he is not sincere in his effort to have the question put on the ballot?

Mr. LOPRESTI. I resent the implication that I am not sincere. I am sincere.

You have raised a procedural question to which I do not have the answer, but I am saying to you that there is plenty of time to get the procedural question answered. We are now voting on the substance, whether or not we believe the people should vote on the question of sales taxes versus income taxes. That is our present consideration. There is a lot of time for the procedural changes.

Mr. HELM. Mr. Speaker, the thing that the gentleman is suggesting today is exactly what happened here in this House about two weeks ago when we acted upon something without knowing where we were going, and I would request the gentleman, in all sincerity, to hold up action on this until we can get a ruling from the Attorney General so that we can act in an intelligent



manner and show the people that we are sincere in our efforts in trying to bring the question before the people so that they can state their beliefs on the matter.

Mr. LOPRESTI. Mr. Speaker, I can not quite agree with that statement. I do not believe that we are unintelligent when we express an opinion as favoring or not favoring an income tax resolution.

Mr. HELM. Mr. Speaker, I would like at this time to make a motion, if I may.

Mr. LOPRESTI. I am advised by the Chairman of the Appropriations Committee that the Attorney General has issued a statement to him that it can be submitted in separate questions on the same ballot.

Mr. HELM. Does the gentleman have that statement in writing?

Mr. LOPRESTI. I just said that I was informed by Mr. Polen—by phone, he says.

Mr. HELM. Has the Attorney General put that in writing?

Mr. LOPRESTI. I said he had the information by phone from Harrington Adams.

#### MOTION TO POSTPONE

Mr. HELM. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCORMACK. Before I can intelligently vote on this motion I would like to ask the gentleman from Armstrong, Mr. Helm, a question. Will he permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, is it the gentleman's contention that 409 which we passed, was passed in improper form?

Mr. HELM. That is so. It did not have the amendment in the bill that was passed.

Mr. McCORMACK. If this resolution were amended to include the substance of 409 in its correct form, would the gentleman agree to that amendment?

Mr. HELM. Well, I believe you are now trying to bring two issues into this present bill, but I do believe before the question can be put on the same ballot, if that is the attempt, the issues will have to be combined, because they both amend the same section, the same Article of the Constitution.

Mr. McCORMACK. And if it were so amended in 263 to take care of those procedural defects, would the gentleman agree to that?

Mr. HELM. I am only asking you to hold it up until we have a chance to work it out with the Attorney General, and get a ruling as to whether it can be done that way.

Mr. SCHWARTZ. Mr. Speaker, it occurs to me, sitting here, it depends on who is discussing confusion and who is discussing delay. We have heard stories here about delaying tactics on previous bills during this Session. I think this has been a pretty fine maneuver on the right side of the House to delay this particular bill, because in the main I believe it goes against their political leanings.

Let us look back a little bit. First we had a question about the forest reserves amendments which had been omitted. The question was never raised when House Bill

409 was on the floor, but very peculiarly it came up when we considered this particular resolution. Then we were faced with calling the bill back, amending it, putting in the forest reserves, and after we did that we then had the amendments of yesterday, so that there could not be a sales tax and an income tax at the same time.

Now suddenly we are faced with another delaying tactic, the question of the Constitutional issue of whether these things have to be combined in one bill, whether they can be loaded on separately and so forth, ad infinitum. I think this is nothing but an attempt to delay the expression of the Members of this House to give the people of the Commonwealth an opportunity, legitimately, of deciding what type of tax they desire.

I therefore feel we should oppose this motion, and should vote on this particular bill.

Mr. LOPRESTI. Since my last trip to the mike I have been informed by the Attorney General's Office that not only is it advisable, as I have said, to vote on separate amendments, but since the Constitution itself provides that when more than one amendment is offered to a particular article we must, under the Constitution itself, submit it for a separate vote, and that the only way we could proceed under the Constitution is the method by which we are now proceeding. There would be no other way of doing it.

Mr. GOLDSTEIN. Mr. Speaker, I desire to consult a lawyer, and there are some very good one on the Democratic side.

This is not a delaying tactic on my part. I voted against the income tax amendment as originally proposed and I also voted against the amendments submitted yesterday.

I believe if you want to pass an amendment to the Constitution, you should do so deliberately and have a correct one. I am speaking in favor of the motion proposed by Mr. Helm for this reason, because the proposed Constitutional amendment which is before us now is substantially and fundamentally unsound. I ask you to listen to me carefully.

The amendment which was approved by the then Majority Leader and now the acting Speaker, reads as follows:

No income tax upon persons or corporations which is graded or graduated or which provides for exemption may be enacted—

enacted is the word,

At the same time that a tax on the sale or use of personal property is being levied and collected.

Enacted means, according to Webster's International Dictionary, "to make into an act or statute." I submit sincerely and for your serious consideration this particular situation.

If this Constitutional amendment is passed, it will defeat the purpose as stated by the gentleman from Philadelphia, Mr. Schwartz, because it is my contention that you can repeal the sales tax in January, 1961, enact an income tax, graduated, one month later and thereafter pass a sales tax.

Please read this amendment carefully, and if you want to have the correct type of tax, why not amend the amendment and put it in proper shape?

We are discussing a Constitutional amendment. Let us



vote on it Monday after due deliberation, if I am correct, and if the Attorney General says I am incorrect, let us have a written opinion on the thing, because the word "enactment" is a clear word; it means precisely what it says. No legislative intent can overrule clear English language.

Therefore, I call this to your attention again. You can pass a sales tax under this amendment after you have passed an income tax. You can have both on the statute books at the same time.

Mr. TOMPKINS. Mr. Speaker, the two questions would be whether to amend it separately, which amends the same Article and Section—I have talked to at least a half dozen judges, a couple of them appellate court judges. I want to tell you that they are divided in their opinion on this, and there is only one thing I can see for this amendment, should it be passed with all the circumstances surrounding and existing in it, there would be a court test on it to determine that issue, but not only that issue, but other issues as well.

I am like the gentleman from Allegheny, Mr. Goldstein, on a matter so far reaching and fundamental on the rights of the people of this Commonwealth, I am not willing to vote for any legislation unless I am satisfied that the matter is in proper shape and form to do that. I will not, on a constitutional question pass it over to the Senate or anyone else unless it is in sound condition.

Mr. LOPRESTI. Mr. Speaker, I did not understand the objection of the gentleman from Cameron, and therefore, I would like to interrogate the gentleman.

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I would inquire as to what language the gentleman from Cameron objects in this particular bill.

Mr. TOMPKINS. I am objecting to the procedural matter which you raised and not the substance of the bill.

Since the gentleman from Allegheny spoke, I am inclined to agree with him that the amendment that was put in yesterday could be very much abused unless it is clarified. On procedural matters, I am talking about submitting the provisions of 409 and the provisions of this bill as separate amendments, they being amendments to the same Article and Section of the constitution.

Now where a different Section and Article of the Constitution is involved, I will agree that they must be submitted separately, but where they involve the same Article and Section, I disagree that they can be submitted separately.

Mr. LOPRESTI. I thank the gentleman, Mr. Speaker.

For the information of the gentleman, Burt Glidden who is the official advisor, I believe to the House and the Senate in our Legislative Reference Bureau, has informed me that he also concurs with the opinion that we had from the Attorney General, and I want to read from Article 18 of the Constitution, the last line: "When two or more amendments shall be submitted they shall be voted upon separately."

Mr. GELFAND. Mr. Speaker, will the gentleman from Armstrong, Mr. Helm, submit himself to interrogation?

Mr. HELM. I shall, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, is it the inference of the gentleman from Armstrong that this piece of legislation

and the other piece of legislation, House Bill 409, will pass this House and the Senate on two successive occasions at the same time?

Mr. HELM. Mr. Speaker, I would assume that from the fact that they are passing this Session together they would probably be introduced at the next Session.

Mr. GELFAND. Will the gentleman guarantee that both pieces of legislation will pass both Houses of the Legislature at the same time?

The SPEAKER pro tempore. The Chair rules that the question is not proper to the debate on at the present time. Will the gentleman from Philadelphia confine his remarks—

Mr. HELM. Mr. Speaker, I have no hesitancy about answering the question, when I say I cannot guarantee it and I would not attempt to do it.

Mr. GELFAND. Will the gentleman advise the House as to whether or not it is possible that one piece of legislation will pass both Houses and the other piece will not?

Mr. HELM. That is a possibility.

Mr. GELFAND. Is it not possible then that only one piece of legislation will be submitted to the electorate at one time?

Mr. HELM. That is a possibility also. The possibility exists that both might pass.

Mr. GELFAND. Then does the gentleman agree that inasmuch as only one piece of legislation may get to the electorate, it is wise to act on one piece of legislation at a time rather than two?

Mr. HELM. No, I do not, Mr. Speaker. I say as long as there is a possibility that both pieces might reach the ballot at the same time, then we ought to be very careful about how we pass those pieces.

Mr. GELFAND. Will the gentleman agree then that the electorate at a future time may only have one piece of legislation to act upon?

Mr. HELM. Will the gentleman restate his question? I do not quite follow that.

Mr. GELFAND. I will restate it this way: Then is it possible at a future time a Constitutional amendment which we are discussing at the present time may be presented to the electorate, which does not deal with the veteran's exemptions?

Mr. HELM. That might happen, certainly.

Mr. GELFAND. Then is it not true that the question we are raising today may be a moot one?

Mr. HELM. It could be though we cannot be sure of that.

Mr. GELFAND. Inasmuch as we are only operating under possibilities, is it not better then to act on the legislation before us than any other legislation?

Mr. HELM. I would think the gentleman, being a member of his party that has initiated both of these Constitutional Amendments, would assume that both of them are going to pass.

Mr. GELFAND. Is it the gentleman's view then that if any other piece of legislation is introduced in this House on any problem that may confront the Commonwealth, that no other legislation dealing with a similar problem should be presented?

Mr. HELM. No. It can be presented, of course it can, but it certainly ought to be in proper form.

Mr. GELFAND. Is it not so that each problem as it is presented should be considered in itself?



Mr. HELM. Certainly. Of course, now you are talking about the substance of this resolution.

Mr. GELFAND. If the gentleman will desist, he has already answered my question. I thank the gentleman.

Mr. Speaker, the gentleman has just indicated, as I thought he would, that it is better for this House to act on one problem at a time, and since at the present time we only have one problem before us for discussion, I think we should act upon it. I therefore think we should vote down this motion.

Mr. LIPPINCOTT. Mr. Speaker, it seems to me that we are going to be around here a while longer, and I think it is unfortunate that we pass bills over into the Senate and hope that they will correct the bills here.

There is a very simple way that this can be worked out. Previously Article 9, if you look at the Pennsylvania Manual, Page 60, was amended by adding a sub-section 1-B. All we have to do here is to add a sub-section 1-C, then both sections could be voted on by the electorate, and if one fell, or if one passed or if they both passed, there would be no problem whatsoever in interpreting them.

I think we should put this on the postponed calendar until we get this corrected.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Delaware?

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. LIPPINCOTT. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, would the gentleman prepare that amendment to take care of the omissions that he claims are in this bill with respect to the exemption of paraplegics and amputees, would you introduce that amendment if this bill were held up?

Mr. LIPPINCOTT. I am not in favor of combining the two questions, and I am opposed to this amendment. However, as far as correcting the defect in the present bill so that it could be voted on separately, I think that would be a very simple matter to prepare and I could certainly suggest to the Legislative Reference Bureau how it would be done.

Mr. McCORMACK. There is a conflict of authority right in your own party as to whether or not it is proper to have it as one amendment or two separate amendments, is that correct?

Mr. LIPPINCOTT. I think there is a conflict among legal opinions as to the bills in their present form, that is correct. I think that if you had them as a separate subsection—in other words, one bill would amend Article 1, the other bill, the present bill, should have a new subsection known as section 1-c, and if you will look at article 9 as it is presently written there is a section 1 and section 1-b, so that all you need is a section 1-c covering this present amendment.

Mr. McCORMACK. And you are willing to submit that amendment?

Mr. LIPPINCOTT. As I say, I am not in favor of it but I will be glad to assist in having it drawn up.

Mr. McCORMACK. Would the gentleman from Armstrong, Mr. Helm, permit himself to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Armstrong, Mr. Helm, permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. McCORMACK. Since you are the one who originally

raised the question as to the conflict between the resolution 409 and this, would you agree with the suggestion made by the gentleman from Delaware, Mr. Lippincott, that a new section be added to this bill by amendment?

Mr. HELM. Mr. Speaker, I am sorry, I was in conference, I was talking to the acting speaker along with a couple of other people up front and I did not hear the statement of the gentleman from Delaware. I will abide by the gentleman's decision though. He is a lawyer and I am not and if he states that that is correct I will accept his decision.

Mr. McCORMACK. He says that he would add a subsection to this resolution that would take care of House resolution 409, although he is not in agreement with the resolution. If that amendment is submitted, would you join with him in sponsoring it?

Mr. HELM. The gentleman states that is not what he said.

Mr. McCORMACK. Would the gentleman state his position?

Mr. LIPPINCOTT. Mr. Speaker, what I said was that the present bill should be redrawn so that it creates a new section known as section 1-c, which would provide for this graduated income tax. I am very strongly opposed to it. I am opposed to the referendum. I do not care to sponsor it. The gentleman is the sponsor of the bill and I think if we point out to him how it can be corrected, he should be the one to do it.

Mr. McCORMACK. Are you saying that we should not amend this present resolution but we should submit a new resolution?

Mr. LIPPINCOTT. I said that we should amend the present resolution to provide that it create a new section known as Section 1-C, and that 409 which has already passed should be corrected in the Senate, as it probably will be, to take care of the forest reserve deficiency, and that that should roll on its own.

The resolution would not be changed in wording, only in respect to the resolution 409; 409 would be separate. This would be a separate new section.

Mr. McCORMACK. 409 would not be included in this then, is that correct?

Mr. LIPPINCOTT. That is correct.

Mr. McCORMACK. Then you have no objection to passing this in its present form.

Mr. LIPPINCOTT. No, I said that we should create a new subsection so that we will not be amending in two separate resolutions an identical section of the Constitution.

Mr. McCORMACK. Can we not create a new subsection without regard to this present resolution on the calendar?

Mr. LIPPINCOTT. We can if we amend this resolution, yes.

Mr. McCORMACK. We do not have to amend this resolution to later introduce a resolution adding a new subsection, do we?

Mr. LIPPINCOTT. I say we do, and the gentleman from Cambria, Mr. Lopresti, frankly admitted there is a very serious conflict of opinion and he is actually not sure how it can be worked out, if both should be voted on or if one should fail. I say there is a clear way to do it, as I have suggested.

Mr. McCORMACK. Thank you, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, I might say that the



Attorney General's office concurs in this view that this is the way you could do it.

Mr. LOPRESTI. Mr. Speaker, I think we should sweep away the dust now and get back to the fundamental thinking on this particular resolution, which is, shall we submit this question to the voters?

As I have previously stated this Legislature will, at another Session, decide how and when to submit what should be two separate questions, which should be voted upon separately. I will oppose any attempt to confuse and destroy 409, or this particular resolution. These questions should be submitted to the public for a separate vote, one not interfering with the other. I would oppose the motion to place it upon the table, or whichever motion was made, and I think we ought to get on with that question, which is to decide the fundamental question, shall we permit a graduated income tax or shall we not permit the voters to decide whether they want such a tax. That is the fundamental question involved here. As to the timing and the schedule, we have two years' time to decide that.

Mr. A. D. WILLIAMS. Mr. Speaker, will the gentleman from Cambria, Mr. Lopresti, the Acting Majority Leader, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, I have listened very carefully to the words of Mr. Goldstein, the gentleman from Allegheny, and I am concerned with the problem which he has raised. Does the gentleman from Cambria have any answer to it, or does anyone on his side of the House have an answer to it?

Mr. LOPRESTI. I am not concerned with the problem being raised because I am quite certain that the Supreme Court of Pennsylvania would decide the intent of this Constitutional Amendment to be that you do not have two taxes at one time. I think that is clear enough in this particular bill. I think there would be no question but that the Supreme Court would decide the legislative intent that you would have one and not the other.

Mr. A. D. WILLIAMS. Mr. Speaker, did I understand the gentleman to say that he believes that on line 19 on page 2, the use of the word "enacted" would not be a lot clearer if it said "enacted, levied or collected."

Mr. LOPRESTI. It is possible that you may clear it up, sure, but I do not think it is necessary, I do not think that the court would rule that you cannot do something today but you can do it tomorrow. I do not think our Supreme Court would be that foolish to rule contrary to the intent of this Legislature. I do not think there is any question about the intent of the Legislature in this particular amendment.

Mr. A. D. WILLIAMS. Mr. Speaker, do I understand the gentleman to say then that rather than hold this up for a day or two or maybe even a week, to be absolutely sure that the question that goes before the voters is whether they want an income tax or a sales tax, he would rather have us vote today on what he admits might be a subject of interpretation by the courts?

Mr. LOPRESTI. I am not admitting that this resolution is incorrect. It is my firm belief that it will stand the test in the court.

Any legislation which we pass is subject to court inter-

pretation. Any bill that we pass can be interpreted. I am personally satisfied with the language in the bill.

Mr. A. D. WILLIAMS. I thank the gentleman, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I merely want to make a statement in connection with the remarks made by the gentleman from Cambria, Mr. Lopresti, to the effect that we have two years to get this ironed out.

Under the Constitutional provisions for amendments, if we make any changes whatever, even one word in this amendment between this Session and the 1961 Session, we would not then be passing the same resolution, and would have to run this over until the '63 Session before you could get out the vote to the people. Even to the extent of adding it as a subsection, you change the substance and the procedure of this resolution, which would make it necessary to delay it for another two years. Would it not be better to delay it for two days rather than two years in order to get this matter in its proper form?

Mr. LOPRESTI. Mr. Speaker, I think the gentleman has misinterpreted my remarks.

I am not suggesting a change to be made in the next two years with either of the resolutions. I am suggesting, however, that if they cannot be both submitted as separate questions on the ballot in that particular year, that the Legislature wait until the following election, perhaps, and then submit the second question. The choice would be made as to which resolution is to be submitted at each election. If we decide after two Sessions that this is the one we want to submit, and we cannot submit them both, then we will submit this one, and then the following two years submit the other one. Or if they submit the other way, then we will submit them separately, but it is my firm conviction that they should be voted upon as separate amendments to the Constitution.

Mr. TOMPKINS. Mr. Speaker, if we vote upon the matter the way the gentleman from Cambria suggests, then are we not putting ourselves in a position if we vote both of these in 1959 and both of these in 1961. We have no power to say which one is going to go on the ballot in 1961 and which one you are going to hold up until 1963, and if at the next Session you hold either one of these amendments up then you have a broken record whereby you must have two more successive Sessions of the Legislature approve these amendments. Then you are defeating your purpose all the way through on either one of the amendments.

Mr. LOPRESTI. That, of course, is another case. Perhaps I do not make myself clear. These two same questions will be submitted to the next Legislature. By that time we will certainly know whether we can submit them both at the following election and at that time we can decide whether we can pass one or the other or both of these amendments. That is the time we can decide that. If we decide, then we can at that time reintroduce another resolution so that we will have a delay of two years only on one or the other.

Mr. SHERMAN. Mr. Speaker, I presume the gentlemen on the other side or the attorneys may be familiar, I hope, with Article 18 of our Pennsylvania Constitution providing for future amendments. There is no other Article or constitutional provision as to future amendments, and Section one of that particular Article specifically states that for any three months after we Members of the Legis-



lature agree, that this matter shall be submitted to the voters in such manner, in any manner that we, as Members of the Legislature, agree upon and, therefore, there is no reason why we, as Members of the Legislature, cannot decide in what manner as the very Constitution itself says.

The same constitution in the same Section states when two or more amendments shall be submitted, they are to be voted upon separately. I cannot see any reason for any dilatory ways. We have had enough speeches on this matter for the last few weeks and I think they know where we stand and we know where we stand. The matter should be voted on today.

Mr. BOWMAN. This debate has unfortunately been prolonged perhaps over misunderstandings, misconceptions. My point and to me the most important two points (a) this House has the highest duty possible in passing legislation that is its best and most clear effort in providing what it intends to provide. That is the highest duty this House has. Second, and with respect to this particular issue, what is the public going to vote upon.

I must firmly disagree with the gentleman, Mr. Lopresti. We do not know, at least I do not know, what the public is going to vote upon if this bill passes. It is not a question now, since the amendment of yesterday, whether this is a constitutional amendment for a graduated income tax or not. It is more than that today but we do not know precisely how much more. The people are going to be asked, do you favor a graduated income tax only if there is no sales tax in effect at the time the Legislature passes it, or are the people going to be asked, do you favor a graduated income tax only so long as there is not a sales tax at any time. Which of those two issues is the public going to vote upon? That is what is facing us today and that is why the confusion.

Believe me, this bill in my opinion, is tremendously confused by this amendment and to further confuse the issue I will point out two other matters which I think cause us to consider this bill and perhaps delay it.

This bill says we cannot, and I will quote the amendment "may be enacted at the same time that a tax on the sale or use of personal property is being levied and collected." Does that mean that we will have to repeal the sales tax before we can enact this tax even though this tax would not go into effect for an extended period of time, perhaps the next biennium. It certainly reads that way to me.

Another point, what about sales taxes which have been levied but not collected. Are they to be excused the moment we enact an income tax. The bill so reads to me. Now if they are these problems, and I think they are serious problems, I certainly believe that this Legislature has a higher duty than politics to put this bill in proper form.

Mr. McCORMACK. Mr. Speaker, the suggestions made by the gentleman from Dauphin, Mr. Bowman, I suggest, do not come in good grace.

After all, we must consider where these amendments came from. These are not Democratic amendments. They were submitted by the Republicans. I can assume that they were discussed by the policy makers of the party, they were discussed in caucus, they were submitted with the fervent hope and prayer and belief that the Democrats would oppose them, and here they are in a dilemma now. The Democrats agreed with them to carry out our philo-

sophy, and now they are stuck with them. The purpose is to delay this and to delay it as long as possible so that it will never come up, and I submit therefore that the suggestions are not in good grace.

Mr. BOWMAN. Mr. Speaker, I regret that the gentleman from Philadelphia—

#### PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Washington, Mr. Capano, rise?

Mr. CAPANO. I rise to a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CAPANO. Mr. Speaker, are we debating the postponement, or are we debating the bill at the present time?

The SPEAKER pro tempore. The question before the House is to place House Bill 263, Printer's No. 1384, on the final passage postponed calendar. Therefore the question before the House is the motion.

Mr. CAPANO. And not the bill?

The SPEAKER pro tempore. And not the bill.

Mr. CAPANO. I would ask the Chair then to request that the debate be confined to the motion.

The SPEAKER pro tempore. The remarks of the gentleman from Washington are well taken, and the Chair would advise all the Members that they should have confined their remarks to the motion, and not the bill.

Mr. BOWMAN. On chance of incurring the ire of the Chair, I merely want to say I very much regret that the gentleman from Philadelphia said my statements came with poor grace. That is not true. My statements are not inspired politically in any sense of the word.

The SPEAKER pro tempore. The gentleman will confine his remarks to the motion.

Mr. BOWMAN. I do feel, however, that my remarks as to the defects in the bill are definitely germane to the motion because whether a bill is properly drafted or not properly drafted is very important as to whether it should be or should not be postponed with respect to its action.

Mr. HELM. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Lopresti. Just one more question.

The SPEAKER pro tempore. The gentleman from Armstrong desires to interrogate the gentleman from Cambria, Mr. Lopresti. Will the gentleman from Cambria permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, perhaps this is repetition, but I would like to again ask the gentleman: If House Bills 409 and 263 both passed the House and Senate this Session and next Session, and both appear on the ballot at the same time and are approved by the voters of this Commonwealth, which one of the amendments to the Constitution, becomes effective?

Mr. LOPRESTI. I have answered that question, I believe, several times before.

I am not positive at this particular moment whether they could be and should be submitted on the ballot of 1960, or whenever it is, but I have also said that if it is impossible that both of them be voted upon separately, then we should delay the passage of one of them two years from now until we can have the separate vote. That is my individual opinion.



Mr. HELM. I thank the gentleman, Mr. Lopresti.

Mr. Speaker, my I interrogate the gentleman from Dauphin, Mr. Bowman?

The SPEAKER pro tempore. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, I asked to interrogate the gentleman from Dauphin, Mr. Bowman, because he is an admitted expert. It has been admitted on both sides of the aisle that, with his long experience in drafting legislation in the Legislative Reference Bureau, he is a qualified expert in all matters of drafting legislation.

The SPEAKER pro tempore. What is the question?

Mr. HELM. I will get around to it in just a minute.

The SPEAKER pro tempore. The Chair would again remind that the Chair has been very lenient. Remarks should be confined to the motion placed before the House by the gentleman from Armstrong, Mr. Helm.

Mr. HELM. I would like to bring the gentleman up to date by informing him of the question I asked of the gentleman from Cambria, Mr. Lopresti. I asked the gentleman from Cambria if these two bills, House Bill 409 and House Bill 263 both passed this Session of the General Assembly and the next Session of the General Assembly, and both appeared on the ballot at the same time and were approved by the voters of this Commonwealth, which one of the Constitutional amendments would be in effect. I would like to ask the gentleman from Dauphin the same question and have him give me his opinion.

Mr. BOWMAN. I am not an expert. I do not even know what the definition of an expert is, at least one I can say here.

That is a very difficult question. In my experience I have never been called upon to precisely face up to or research that question. There is a grave doubt, and the most I can say at this time, is that there would be a grave doubt in my mind, if that factual situation occurred, as to whether either of the amendments would be declared in effect by the vote of the people. There would be a very grave doubt in my mind.

Mr. HELM. Mr. Speaker, I thank the gentleman, and I think that brings out my point as to why we should delay action on this bill today.

Mr. LOPRESTI. Mr. Speaker, since the question was last asked, I have before me the proper Section of the Constitution.

The Constitution provides that the Legislature shall decide the manner and the time at which amendments should be submitted, and that is precisely what I have been saying here on this floor, that in the next Session of the Legislature we will decide the precise time and the manner in which they will be submitted. I agree with the gentleman from Dauphin that there is question as to their validity if they were both submitted on the ballot at the same time, but two years from now we can decide the time at which we want to submit each of the questions to the people.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. HELM and DAVIS, and were as follows:

## YEAS—79

Agnew,	Goldstein,	Lee, A. M.,	Stevens,
Ashton,	Goodrich,	Lee, K. B.,	Stewart,
Auker,	Gramlich,	Light,	Stimmel,
Blair,	Helm,	Lippincott,	Stoner,
Bowman,	Henzel,	McCandless,	Strausser,
Brenninger,	Hocker,	McInroy,	Stroup,
Buchanan,	Holliday,	Magee,	Tompkins,
Davis,	Horst,	Mahan,	Varner,
Dengler,	Isaacs,	Markley,	Wall,
Dennison,	Johnson, A. W.,	Merry,	Weidner,
Donahue,	Johnson, R.,	Miller, B. Z.,	Wescott,
Down,	Jones, T. H. W.,	Miller, H. G.,	Whittaker,
Edwards,	Jump,	O'Dell,	Williams, A. D., Jr.,
Eshback,	Kee,	Odorisio,	Williams, E. S.,
Eshleman,	Kelser,	Ogilvie,	Willard,
Ewing,	Kernaghan,	Price,	Willaredt,
Fetterolf,	Kessler,	Rigby,	Wood,
Fox,	Kooker,	Royer,	Wynd,
Fulmer,	Korns,	Seltzer,	Zimmerman,
George,	Kubitsky,	Steckel,	

## NAYS—104

Anderson,	Frank,	Machmer,	Renwick,
Arlene,	Frascella,	Maxwell,	Riley,
Balthaser,	Galley,	Meholchick,	Rovansek,
Boles,	Gallagher,	Mihm,	Rudisill,
Bonner,	Garlock,	Mills,	Sakulsky,
Branca,	Gelfand,	Monroe,	Scarcelli,
Breth,	Hamilton,	Muldowney,	Schaaf,
Burns,	Heavey,	Mullen,	Schuster,
Capano,	Holt,	Munley,	Schwartz,
Capitolo,	Irviss,	Murray, J. J.,	Sherman,
Cianfrani,	Jenkins,	Naugle,	Shupnik,
Cloffi,	Jim,	Needham,	Silverman,
Clarke,	Jones, F. R.,	Nelson,	Snider,
Comer,	Kamyk,	O'Donnell, J. A.,	Stank,
Crossin,	Kornick,	O'Donnell, J. P.,	Stone,
Curwood,	Kovolenko,	O'Neil,	Taylor,
Dennis,	Lamb,	Parlante,	Trusio,
Devlin,	Leonard,	Pashley,	Varallo,
Dougherty,	Limper,	Perry, H. H.,	Verona,
Eilberg,	Lopresti,	Perry, P. E.,	Wargo,
Farabaugh,	Luigard,	Petrosky,	Welsh,
Filo,	Lutty,	Polasky,	Wheeler,
Fineman,	McCann,	Polen,	Worley,
Floyd,	McCormack,	Prendergast,	Yatron,
Flynn,	McDonald,	Reibman,	Yetter,
Foerster,	McLaughlin,	Reidenbach,	Andrews,

Speaker

## NOT VOTING—25

Barton,	Gibb,	Murphy, A. J., Jr.,	Snare,
Bell,	Guthrie,	Murphy, P. J.,	Sullivan,
Boris,	Heffner,	Murray, H. P.	Thompson,
Bower,	Knecht,	Murray, P. G.,	Ujbal,
Brown,	McKeever,	Musto,	Walsh,
Cooper,	Moran,	Pursley,	Wilt,
Donaldson,			

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, until the amendment was put into this bill as of yesterday, I had planned to make quite an extended speech about the bill and about the philosophy of the party with respect to the graduated income tax. However, after listening to the debate today about this amendment we have inserted into the bill I am more convinced than ever that I am going to vote against this referendum.

I believe that Mr. Bowman, Mr. Goldstein and others have pointed out some glaring, perhaps unintentional, defects in this amendment which has been inserted into the bill, which certainly will cause the state of Pennsylvania to go into a complete tailspin if somebody at the polls has to vote on this amendment.

Another thing about the amendment that is in the bill today. As you sit here and think about it, should this



pass, we will have successfully tied the hands of the sovereign so that there will be only one field of taxation available for the sovereign to run the government, which I believe is an unconscionable thing, and was not intended by the amenders of the bill.

The SPEAKER pro tempore. Will the gentleman from McKean yield momentarily? For what purposes does the gentleman from Cambria, Mr. Lopresti, rise?

Mr. LOPRESTI. Mr. Speaker, if the gentleman would yield, I would like to request that this House pass the bill over temporarily and go to the next bill so that we can go to lunch, and then we will come back to it later.

The SPEAKER pro tempore. The gentleman from Cambria requests that House Bill No. 263, Printer's No. 1384, be passed over. The Chair hears no objection. The bill will be passed over temporarily.

Mr. A. W. JOHNSON. Mr. Speaker, I believe the Members on this side would like to know what your time schedule is for today.

Mr. LOPRESTI. Mr. Speaker, at this particular point I would like to call up another bill and then have a recess for lunch.

Mr. A. W. JOHNSON. Mr. Speaker, may I say this about the request to pass the bill over the gentleman just made. Unfortunately, I have to leave the Capital today. I am scheduled to be at another place at six o'clock, and it is a five-hour drive. I did have some thoughts I wanted to put into the record with respect to this bill. I regret that you want to pass it over. Maybe you would just hear me out on the few things I have to say which I think should be in the record.

Mr. LOPRESTI. I think we will meet with the gentleman and decide that question between us.

Mr. A. W. JOHNSON. I did not get the gentleman's reply.

Mr. LOPRESTI. We will meet with the gentleman in just a few minutes and decide what further action we will take, if any, on this particular bill today. Then, if we decide to take further action today, we will permit the gentleman—

Mr. A. W. JOHNSON. Mr. Speaker, I ask unanimous consent of the House to address the House.

The SPEAKER pro tempore. The gentleman from McKean, Mr. Johnson, requests unanimous consent to address the House.

Mr. LOPRESTI. Mr. Speaker, if we are going to resort to parliamentary maneuvers in order for the gentleman to make his statement anyway, I will not agree to the unanimous consent.

Mr. SCHWARTZ. Mr. Speaker, on that question, I would like to advise the gentleman that I would like to speak on this subject, too. If he insists upon speaking on it, I intend to speak on it.

Mr. A. W. JOHNSON. Mr. Speaker, I will withdraw my request to speak on the bill and permit you to hold the bill over, and you can proceed with the business of the day.

The SPEAKER pro tempore. The Chair thanks the gentleman from McKean, Mr. Johnson.

The reason this is being done is that more than one person wants to speak on the bill. Mr. Johnson and various other people, who are going to a funeral, are leaving. We want to take up one bill, a special order of business, so we can break for lunch, and then they will be leaving for the funeral.

## BILL PASSED OVER

There being no objection

House Bill No. 263, Printer's No. 1384

was passed over temporarily at the request of Mr. LOPRESTI.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 169, on page 8 of today's calendar, bills on final passage.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 169, entitled:

An Act amending the act of April 29 1959 (Act No 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for an operators' license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith

On the question,

Shall the bill pass finally?

## QUESTION OF PERSONAL PRIVILEGE

Mr. O'DELL. Mr. Speaker, I rise to a question of personal privilege.

The Speaker pro tempore. The gentleman from Erie, Mr. O'Dell, will state his question of personal privilege.

Mr. O'DELL. I was one of the sponsors of this bill in its original form. Just for the record I would like to state that the bill has been so changed I am ashamed now that I am one of the original sponsors.

Mr. LOPRESTI. Mr. Speaker, the bill before us raises the operators' license fees in the state of Pennsylvania from \$1 to \$3.

Then I believe it further provides that the Secretary of Revenue can stagger the license period so the licenses can be issued at various times in the year, and it provides the method of scattering the issuance of the licenses either by date of birth or alphabetical methods.

This, I believe is just a privilege extended to the Secretary, and I do not believe it directs him to do it either way, or directs him to do it at all. It is merely a permissive feature, in my understanding of it. The basic thing in the bill is the increase in the drivers' license fee from \$1 to \$3.

I think much of the argument of yesterday with reference to the gasoline tax is the same reasoning for this particular bill—to allow greater funds for highway and bridge improvements, principally on the 100 percent state roads. That is the principal purpose of the bill, and I do not believe it is necessary to have any long debate to understand the bill which we are voting upon.

## QUESTION OF PERSONAL PRIVILEGE

Mr. DENNISON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DENNISON. Mr. Speaker, I too, am one of the co-



sponsors of this bill, and as I look at the bill I do not recognize it as the bill which I originally sponsored. The bill in its original form gave a licensing period of three years for a fee of \$1 a year. The present bill is for one year at \$3. Therefore, I wish the record to show that I am now withdrawing my sponsorship of the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—81

Anderson,	Floyd,	Machmer,	Renwick,
Arlene,	Flynn,	Mihm,	Riley,
Balthaser,	Frascella,	Mills,	Rovansek,
Boies,	Galley,	Monroe,	Rudisill,
Bonner,	Gallagher,	Muldowney,	Sakulsky,
Branca,	Garlock,	Mullen,	Scarcelli,
Breth,	Hamilton,	Munley,	Schaaf,
Burns,	Heavey,	Murray, J. J.,	Schuster,
Capano,	Holt,	Nelson,	Silverman,
Capitolo,	Jenkins,	O'Donnell, J. A.,	Snider,
Cianfrani,	Jim,	O'Donnell, J. P.,	Stank,
Cioffi,	Jones, F. R.,	Parlante,	Stone,
Clarke,	Kamyk,	Pashley,	Taylor,
Comer,	Kornick,	Perry, H. H.,	Varallo,
Dennis,	Lamb,	Petrosky,	Verona,
Devlin,	Leonard,	Polaski,	Wargo,
Dougherty,	Limper,	Polen,	Wheeler,
Ellberg,	Lopresti,	Prendergast,	Yetter,
Farabaugh,	Lutty,	Reibman,	Andrews,
Filo,	McCann,	Reidenbach,	Speaker
Fineman,	McLaughlin,		

## NAYS—99

Agnew,	Goodrich,	Luigard,	Steckel,
Ashton,	Gramlich,	McCandless,	Stevens,
Auker,	Helm,	McCormack,	Stewart,
Blair,	Henzel,	McInroy,	Stimmel,
Bowman,	Hocker,	Magee,	Stoner,
Brenninger,	Holliday,	Mahan,	Strausser,
Buchanan,	Horst,	Markley,	Stroup,
Crossin,	Irvis,	Meholchick,	Tompkins,
Curwood,	Isaacs,	Merry,	Varnar,
Davis,	Johnson, A. W.,	Miller, B. Z.,	Wall,
Dengler,	Johnson, R.,	Miller, H. G.,	Walsh,
Dennison,	Jones, T. H. W.,	Murphy, P. J.,	Weidner,
Donahue,	Jump,	Needham,	Welsh,
Down,	Kee,	O'Dell,	Wescott,
Edwards,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kernaghan,	Ogilvie,	Williams, A. D., Jr.,
Eshleman,	Kessler,	O'Neil,	Williams, E. S.,
Ewing,	Kooker,	Perry, P. E.,	Willard,
Fetterolf,	Korns,	Price,	Willaredt,
Foerster,	Kovolenko,	Rigby,	Wood,
Fox,	Kubitsky,	Royer,	Worley,
Fulmer,	Lee, A. M.,	Schwartz,	Wynd,
Gelfand,	Lee, K. B.,	Seltzer,	Yatron,
George,	Light,	Sherman,	Zimmerman,
Goldstein,	Lippincott,	Shupnik,	

## NOT VOTING—28

Barton,	Frank,	Maxwell,	Pursley,
Bell,	Gibb,	Moran,	Snare,
Boris,	Guthrie,	Murphy, A. J., Jr.,	Sullivan,
Bower,	Heffner,	Murray, H. P.	Thompson,
Brown,	Knecht,	Murray, P. G.,	Trusio,
Cooper,	McDonald,	Musto,	Ujobal,
Donaldson,	McKeever,	Naugle,	Wilt,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

Mr. McCANN. Mr. Speaker, we would like to take a break for lunch and then come back here and finish up our calendar. I would like to ask the Acting Minority Floor Leader as to their possible schedule for a caucus on clearing the third reading calendar bills on which we have caucused.

Mr. TOMPKINS. Mr. Speaker, I am waiting until I see the marked calendar before I answer that question. It is on its way down here.

May I in the meantime inquire as to how long we intend to operate today?

Mr. McCANN. Mr. Speaker, that would depend upon how long you want to take for a caucus. We would like to have just a period for lunch. We want to break for lunch and have no plans for a caucus. We would like to move those bills on the third reading calendars on which we have caucused this week and last week, and get out of here no later than 5:00 p.m. Daylight Saving Time.

Mr. GELFAND. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. GELFAND. Mr. Speaker, is it the intention this afternoon to operate on controversial legislation?

Mr. McCANN. It certainly is.

Mr. GELFAND. Thank you, Mr. Speaker.

Mr. McCANN. Unless you consider 263 noncontroversial.

Mr. GELFAND. Mr. Speaker, so far as I am concerned, every piece of legislation deserves full consideration and may be controversial. However, I am only trying to determine whether it pays to stay here the rest of the afternoon or not.

Mr. McCANN. Mr. Speaker, I believe each Member on both sides of the House should be here unless he is on a leave of absence or has a bona fide excuse, such as the funeral.

Mr. GELFAND. Such is my belief also, and I would like to affirm what the Majority Leader says. However, on previous occasions I noticed that some Members were absent although we did not have a consent calendar.

Mr. McCANN. I thank the gentleman because, Mr. Speaker, up to the present day there has never been an agreed day for a consent calendar in this Session, although there have been some days when non-controversial bills were acted upon.

The SPEAKER. The Chair would inform the gentleman from Philadelphia, and also the gentlemen throughout the entire House, that there will be no formal consent calendars. We will either have a quorum, or we will not operate.

Mr. LIPPINCOTT. Mr. Speaker, on the question of having a consent calendar, or not, we have no objection, but it seems to me just as a matter of personal observation that there are a great many Members of this House who have long distances to go. We should either be here on a four-day basis, or on a three-day basis and get out of here at a reasonable time on the third day so the Members can get home. When you have to stay here until 5:00 o'clock, it seems that a great many Members have to do a lot of their driving at night time. I think it is unnecessary. I think we should either stay here for a fourth day or get done at an earlier hour on the third day.

Mr. McCANN. I would like to reply to the gentleman from Delaware, Mr. Lippincott. I believe we have had some conferences in the past, not too long ago, in which it was agreed that we would work longer hours and stay on a three-day schedule in an effort to get as many of the bills as possible agreed to and voted upon. I am trying to follow that pattern. If 5:00 o'clock is too late, then I misunderstood the conference.



Mr. LIPPINCOTT. Mr. Speaker, may I interrogate the gentleman?

The SPEAKER. The Chair might observe that we are likely to have plenty of time.

Mr. LIPPINCOTT. Mr. Speaker, I understood the gentleman originally to state that we were to come in at 12:00 o'clock and work until 5:00 o'clock. That that was his view. I further understood that when we were going to start at 10:00 o'clock then we would get through sooner than 5:00. Is that not correct?

Mr. McCANN. Mr. Speaker, that is correct. Why has the request come up for the consideration of a short caucus?

Mr. LIPPINCOTT. Is it the Majority Leader's intention, then, to work until 5:00 o'clock even though we start at 10:00 o'clock on all the third days?

Mr. McCANN. Well, that would be very easy to answer. I have had a continuous series of objections on Senate Bills being on the calendar for now the fourth week, and our not having acted upon them. I think the record should show that we have not held these bill up in any way.

Mr. LIPPINCOTT. I am merely referring to the personal convenience of the Members. It seems to me we should give some consideration to that fact.

Mr. McCANN. I would like to say, Mr. Speaker, that we are trying to take into consideration the convenience of the Members. If that is the wish, then, we will just break for lunch, and evidently the Senate bills cannot be acted on—bills that you people have been worrying about, and that the Senate Republican leadership has asked about time and time again—because they have not been caucused on. My calendar is marked very clearly that at this point you have not caucused on Senate bills on the calendar.

Mr. TOMPKINS. Mr. Speaker, perhaps I can clarify this a little bit.

It seems as though we have House bills enough to work on, up to and including a portion of page 18. We have not caucused on the House bills on the balance of pages 18, 19 and 20. On pages 21 and 22 they are all Senate bills, and immediately after recess for lunch we will have a Republican caucus, to caucus on Senate bills only on pages 21 and 22.

Mr. McCANN. Would the gentleman inform the House how long he would desire for the caucus? We would like to ask just for 45 minutes for lunch, that is all.

Mr. TOMPKINS. The two pages should not take more than half an hour or 45 minutes.

Mr. McCANN. How long, 30 or 45 minutes?

Mr. TOMPKINS. Make it 45 minutes.

Mr. McCANN. Mr. Speaker, I move that this House do now recess for a period of one hour and 30 minutes.

The SPEAKER. The Chair will declare a recess, but the Chair wants to observe that the various efforts on the part of the Chair to expedite proceedings of the House have been decidedly unpopular with Members.

We have wasted a great deal of time at various times, unnecessarily. I would remind the Acting Minority Leader that a great many times important bills would have been considered, but as the Minority Leader knows, the bills were not considered because the Republican caucus had not acted upon them. It has been very, very hard to expedite the proceedings of the House when the entire calendar has not been considered by both party caucuses. It simply cannot be done.

Mr. TOMPKINS. Mr. Speaker, I am well aware of what you have stated. We have tried to make suggestions as to how we can expedite the work of the House, but we can not seem to get together to accomplish that purpose.

We have 10 pages of calendar here that can be acted upon, which in my opinion would take up until 5:00 o'clock this afternoon. We are fully aware, and the Majority Leader is fully aware, of the bills we have not caucused on. Why we should have to wrangle every time we want to caucus on these matters, I do not know.

Mr. McCANN. Mr. Speaker, there is no objection from our point of view about the caucus. Whatever they request, such time is granted.

The SPEAKER. The gentleman from Cameron well knows that when the Floor Leaders on either side request time for an off-the-floor caucus, from time immemorial that has been granted. If either caucus has not caucused on all the bills, that is the fault of the leadership in the respective caucuses.

## RECESS

The SPEAKER. Without objection, the Chair declares a recess for one hour and a half.

The Chair hears none and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. McCANN IN THE CHAIR

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 37.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing temporary investment of township funds.

SENATE BILL No. 170.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

SENATE BILL No. 171.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the zoning board of adjustment must give their decision within forty-five days.

SENATE BILL No. 172.

An Act amending the act of June 24 1931 (P. L. 1206) entitled "The First Class Township Code" providing that the zoning board of adjustment must give their decision within forty-five days.

SENATE BILL No. 325.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection.



## SENATE BILL No. 424.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the issuance and transfer of liquor licenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended Senate Bills non-concurred in by Senate No. 387.

## PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, we spent about an hour to an hour and a half before recess discussing House Bill No. 263 and House Bill No. 409, and all the various ramifications, at which time I made a motion to place the bill on the postponed calendar. That motion was voted down.

During the recess we sat down with the Attorney General's office and the Legislative Reference Bureau representative, and I believe we came to an understanding at least as to procedure and the form that the bill should be in. I am sure that we who represented this side of the House are agreed that the bill can be put in proper form, and that the proper procedure can be followed in enacting the legislation. We did not discuss nor take any part in the contents, nor did we pledge any Republican votes for the bill. In fact we did not even discuss that.

The point I want to make is that had you accepted our motion, which was made in good faith, because we only wanted to get the bill in proper form, I believe we could have avoided a considerable amount of the conflict which took place before recess.

We are agreed now, and the bill is not going to be acted upon today. By Monday I am sure the people who are working on the amendmeents will have them in proper form.

Mr. LOPRESTI. Mr. Speaker, I know the gentleman from Armstrong appreciates that we are not obstructionists, but very nice people to get along with. That is all I have to say.

I request that the bill be passed over.

The SPEAKER pro tempore. The bill is passed over by unanimous consent. The Chairs hears no objections.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tomkins for Mr. STRAUSSER for the remainder of today's session.

The SPEAKER pro tempore. The Chair has been informed that as of this hour the bills on final passage are not here in print, and would recommend to the Floor Leaders that they consider the bills on third reading.

## BILLS ON THIRD READING

## BILLS PASSED OVER

There being no objection

House Bill No. 1195, Printer's No. 1268

House Bill No. 1205, Printer's No. 1317

House Bill No. 1344, Printer's 1318 and

House Bill No. 1554, Printer's No. 1209

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1578, entitled:

An Act amending "The Vehicle Code" approved April 29 1959 (Art No. 32) changing certain restrictions as to speed.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, may I interrogate one of the sponsors of this bill?

The SPEAKER pro tempore. Will one of the sponsors of House Bill No. 1578 permit himself to be interrogated?

The gentleman from Jefferson, Mr. Dennison. Will the gentleman permit himself to be interrogated?

Mr. DENNISON. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, may I inquire of the gentleman as to whether or not this is a bill that increases the allowable speed in a school zone from 15 miles an hour to 25 miles per hour?

Mr. DENNISON. That is correct.

Mr. PETROSKY. May I further ask the gentleman, Mr. Speaker, whether this is regarded as a safety measure in the Highway Safety Program?

Mr. DENNISON. It is.

Mr. PETROSKY. I thank the gentleman, Mr. Speaker.

I personally had not known the measure that is before us was a part and parcel of the Highway Safety package. It was my understanding, of course, that it was not. However, I cannot by any stretch of the imagination recognize how allowing an increase from 15 miles per hour of speed in a school zone to 25 miles per hour would constitute the proposal as being a safety measure.

I am thinking of an incident that transpired, in my memory some time ago, in driving in a southern state and in one of its principal cities. At the time I noted that the traffic slowed down considerably at the sign of the school zone. Being interested in safety and especially so where the school children are concerned, I stopped and asked one of the traffic patrolmen how they were able to accomplish this condition of slowing down, the automatic slowing down of the traffic to 15 miles per hour in their school zones.

The gentleman advised me and stated this: He said that the people continually kept traveling in the 15 mile per hour school zone at a rate of anywhere from 25 to 35 miles an hour, in other words gliding through. Then they sent in a special detail of traffic enforcement and they had charged for the violation of this school zone speed a great number of motorists for the violation of that zone mileage limit. Prior to the institution of such an enforcement they had had a tremendous number of accidents and a number of school children were killed by these people who were gliding through anywhere from 20 to 35 mile an hour. By the arrest of thousands upon thousands of motorists they accomplished a safety meas-



ure in a 15 mile school zone and he advised me that they did not have an accident there in an entire year of operation at 15 miles per hour.

Personally, I believe that this is a very bad piece of legislation. I certainly cannot, by any stretch of the imagination, appreciate where it would be safer in a school zone to travel at 25 miles per hour rather than 15, and I ask the Members on both sides of the House to vote down the proposal that is before us.

I ask for a slow roll call and only those that answer to their names be recorded.

Mr. McCORMACK. Mr. Speaker, I would like to speak briefly against this bill.

I was surprised too to learn today that this is part of the Highway Safety Program. In order for this House to determine whether or not a law on our statute book should be changed, I think we first must analyze and look into the reasons why such a law is presently on our books.

The only reason that this part of the Vehicle Code at the present time, this restriction as to speed in school limits, is for the protection of school children. I do not think that anybody can demonstrate today that a measure that would increase the rate of speed in a school zone is for the protection of those people who we decided needed protection by the present law.

I think it is a bad piece of legislation, it is a step in the wrong direction, it is entirely contradictory to all of the other provisions of the Highway Safety Program. I ask that both sides of the House give it serious consideration before deciding whether or not we should change this salutary law.

Mr. DOUGHERTY. Mr. Speaker, and Members of the House, if my memory serves me right this is not part of the Governor's Highway Safety Program.

This bill was recommended to me by different people, and it was understood that nobody goes 15 miles in the 15-mile zone at the present time. Why have everybody breaking the law when at a speed of 25 miles per hour it probably would be obeyed?

Mr. DENNISON. Mr. Speaker, this bill does not in any way attempt to break down safety. It is really a safety measure.

As the previous speaker said, nobody drives presently at 15 miles an hour. In order to clarify Mr. McCormack's thinking on this, this law was originally enacted in 1919. There has been considerable improvement made in automobiles and in highway safety since that time, and this bill is designed to give motorists a clearer idea of what is required of them. It is in conformity with the National Code and it has been proved in a number of states that it is a realistic speed limit, and one which does promote safety.

Mr. HOCKER. Mr. Speaker, I was happy to hear the gentleman from Philadelphia say that this is not part of the Highway Safety Program. I would hate to have anyone think that it was.

I happen to live alongside of a schoolhouse. I have lived there for many, many years, and I can just visualize what it would be to a six-year-old who has just started to school to have some maniac come along. I can see the difference between hitting that child at 15, which would be bad enough, but 10 more miles an hour would certainly, in my opinion, destroy that child. I tell you people

in this House this definitely is a backward step, it is bad legislation. I ask you to defeat this measure.

Mr. IRVIS. Mr. Speaker, the arguments of the proponents of this bill are most interesting. Mr. Dennison informed the House that this bill in its original form was enacted in 1919, and that we have since that time made definite improvements in automobiles.

I might point out to the proponents of this legislation that whereas we might have made definite improvements in automobiles, we have not made any measurable improvement in the judgment of those people who operate these motor vehicles. Quite to the contrary, if this type of legislation set at 15 miles per hour were wise legislation in 1919 when we had much fewer school children, and many less automobiles travelling on our highways, then certainly it is unwise for us to change it and grade it upwards in 1959.

I would say as a former teacher, that this type of legislation is exceedingly dangerous, and I am quite confident that the Members of this House who themselves have children, or who have observed the habits of children, the unpredictable habits of children, will vote against it. I ask all Members of this House to so do.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—13

Dennison,	Korns,	Murphy, P. J.,	Parlante,
Dougherty,	Lippincott,	Naugle,	Scarcelli,
Goodrich,	Mullen,	Odorisio,	Andrews,
Isaacs,			Speaker

#### NAYS—152

Anderson,	Fulmer,	Lulgard,	Royer,
Arlene,	Galley,	Lutty,	Rudisill,
Ashton,	Gallagher,	McCandless,	Sakulsky,
Auker,	Garlock,	McCann,	Schaaf,
Balthaser,	Gelfand,	McCormack,	Schuster,
Boles,	George,	McInroy,	Schwartz,
Bonner,	Goldstein,	McLaughlin,	Sherman,
Bowman,	Hamilton,	Machmer,	Shupnik,
Branca,	Heavey,	Mahan,	Silverman,
Brenninger,	Helm,	Markley,	Snider,
Breth,	Henzel,	Maxwell,	Stank,
Buchanan,	Hocker,	Meholchick,	Steckel,
Burns,	Holliday,	Mihm,	Stevens,
Capano,	Holt,	Miller, B. Z.,	Stewart,
Capitolo,	Horst,	Miller, H. G.,	Stimmel,
Cianfrani,	Irvls,	Mills,	Stone,
Cioffi,	Jenkins,	Monroe,	Stroup,
Clarke,	Jim,	Muldowney,	Taylor,
Comer,	Johnson, R.,	Munley,	Tompkins,
Crossin,	Jones, F. R.,	Murray, J. J.,	Truslo,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Verona,
Dengler,	Kamyk,	O'Donnell, J. P.,	Wall,
Dennis,	Kee,	Ogilvie,	Wargo,
Devlin,	Kelser,	O'Neill,	Weldner,
Donahue,	Kernaghan,	Pashley,	Walsh,
Edwards,	Kessler,	Perry, H. H.,	Welsh,
Ellberg,	Kooker,	Perry, P. E.,	Wescott,
Eshback,	Kornick,	Petrosky,	Wheeler,
Eshleman,	Kovolenko,	Polaski,	Whittaker,
Farabaugh,	Kubitsky,	Polen,	Williams, A. D. Jr.,
Fetterolf,	Lamb,	Prendergast,	Williams, E. S.,
Filo,	Lee, A. M.,	Price,	Willaredt,
Fineman,	Lee, K. B.,	Reibman,	Wood,
Flynn,	Leonard,	Reldenbach,	Worley,
Foerster,	Light,	Renwick,	Yatron,
Fox,	Limper,	Riley,	Yetter,
Frascella,	Lopresti,	Rovansek,	Zimmerman,

#### NOT VOTING—43

Agnew,	Floyd,	Merry,	Snare,
Barton,	Frank,	Moran,	Stoner,
Bell,	Gibb,	Murphy, A. J., Jr.,	Strausser,



Blair,	Gramlich,	Murray, H. P.	Sullivan,
Boris,	Guthrie,	Murray, P. G.,	Thompson,
Bower,	Heffner,	Musto,	Ujobai,
Brown,	Johnson, A. W.,	O'Dell,	Varner,
Cooper,	Knecht,	O'Donnell, J. A.,	Willard,
Donaldson,	McDonald,	Pursley,	Wilt,
Down,	McKeever,	Rigby,	Wynd,
Ewing,	Magee,	Seltzer,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

### BILL PASSED OVER

There being no objection

House Bill No. 1651, Printer's No. 1176 was passed over at the request of the Speaker pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—156

Anderson,	Gailey,	McCann,	Royer,
Arlene,	Gallagher,	McInroy,	Rudisill,
Ashton,	Garlock,	McLaughlin,	Sakulsky,
Auker,	Gelfand,	Machmer,	Scarcelli,
Balthaser,	George,	Mahan,	Schaaf,
Boles,	Goldstein,	Markley,	Schuster,
Bonner,	Hamilton,	Maxwell,	Schwartz,
Bowman,	Heavey,	Meholchick,	Sherman,
Branca,	Helm,	Mihm,	Shupnik,
Brenninger,	Henzel,	Miller, B. Z.,	Silverman,
Breth,	Hocker,	Miller, H. G.,	Snider,
Burns,	Holliday,	Mills,	Stank,
Capano,	Holt,	Monroe,	Steckel,
Capitolo,	Horst,	Muldowney,	Stevens,
Cianfrani,	Irvls,	Mullen,	Stewart,
Cioffi,	Isaacs,	Munley,	Stimmel,
Clarke,	Jenkins,	Murphy, P. J.,	Stroup,
Comer,	Jim,	Murray, J. J.,	Taylor,
Crossin,	Johnson, R.,	Naugle,	Trusio,
Curwood,	Jones, F. R.,	Needham,	Varallo,
Davis,	Jones, T. H. W.,	Nelson,	Verona,
Dengler,	Kamyk,	O'Donnell, J. P.,	Wall,
Dennis,	Kee,	Odorisio,	Walsh,
Dennison,	Keiser,	Ogilvie,	Wargo,
Devlin,	Kernaghan,	O'Neil,	Weidner,
Donahue,	Kessler,	Parlante,	Welsh,
Dougherty,	Kooker,	Pashley,	Wescott,
Edwards,	Kornick,	Perry, H. H.,	Wheeler,
Ellberg,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshback,	Lamb,	Petrosky,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Polaski,	Willaredt,
Farabaugh,	Lee, K. B.,	Polen,	Wood,
Fetterolf,	Leonard,	Prendergast,	Worley,
Filo,	Light,	Price,	Yatron,
Fineman,	Limper,	Reibman,	Yetter,
Floyd,	Lopresti,	Reidenbach,	Zimmerman,
Flynn,	Luigard,	Renwick,	Andrews,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Speaker
Frascella,			

### NAYS—10

Buchanan,	Jump,	Lippincott,	Tompkins,
Fulmer,	Korns,	McCormack,	Williams, A.D., Jr.,
Goodrich,	Kubitsky,		

### NOT VOTING—42

Agnew,	Frank,	Moran,	Snare,
Barton,	Gibb,	Murphy, A.J., Jr.,	Stoner,
Bell,	Gramlich,	Murray, H. P.	Strausser,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boris,	Heffner,	Musto,	Thompson,
Bower,	Johnson, A. W.,	O'Dell,	Ujobai,
Brown,	Knecht,	O'Donnell, J. A.,	Varner,
Cooper,	McDonald,	Pursley,	Willard,
Donaldson,	McKeever,	Rigby,	Wilt,
Down,	Magee,	Seltzer,	Wynd,
Ewing,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1701, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) extending the period for shooting on regulated shooting grounds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—161

Anderson,	Fulmer,	Luigard,	Royer,
Arlene,	Gailey,	Lutty,	Rudisill,
Ashton,	Gallagher,	McCandless,	Scarcelli,
Auker,	Garlock,	McCann,	Schaaf,
Balthaser,	Gelfand,	McCormack,	Schuster,
Boles,	George,	McInroy,	Schwartz,
Bonner,	Goldstein,	McLaughlin,	Sherman,
Bowman,	Goodrich,	Machmer,	Shupnik,
Branca,	Hamilton,	Mahan,	Silverman,
Brenninger,	Heavey,	Markley,	Snider,
Breth,	Helm,	Meholchick,	Stank,
Buchanan,	Henzel,	Mihm,	Steckel,
Ashton,	Hocker,	Miller, B. Z.,	Stevens,
Auker,	Holliday,	Miller, H. G.,	Stewart,
Balthaser,	Holt,	Monroe,	Stimmel,
Boles,	Horst,	Muldowney,	Stone,
Bonner,	Irvls,	Mullen,	Stroup,
Bowman,	Isaacs,	Munley,	Taylor,
Branca,	Jenkins,	Murphy, P. J.,	Tompkins,
Brenninger,	Johnson, R.,	Murray, J. J.,	Trusio,
Breth,	Jones, F. R.,	Naugle,	Varallo,
Burns,	Jones, T. H. W.,	Needham,	Verona,
Capano,	Jump,	Nelson,	Wall,
Capitolo,	Kamyk,	O'Donnell, J. P.	Walsh,
Cianfrani,	Kee,	Odorisio,	Wargo,
Cioffi,	Keiser,	Ogilvie,	Weidner,
Clarke,	Kernaghan,	O'Neil,	Welsh,
Comer,	Kessler,	Parlante,	Wescott,
Crossin,	Kooker,	Pashley,	Wheeler,
Curwood,	Kornick,	Perry, H. H.,	Whittaker,
Davis,	Korns,	Perry, P. E.,	Williams, A.D., Jr.,
Dengler,	Kovolenko,	Polaski,	Williams, E. S.,
Dennis,	Kubitsky,	Polen,	Willaredt,
Dennison,	Lamb,	Prendergast,	Wood,
Devlin,	Lee, A. M.,	Price,	Worley,
Donahue,	Lee, K. B.,	Reibman,	Yatron,
Dougherty,	Leonard,	Reidenbach,	Yetter,
Edwards,	Light,	Renwick,	Zimmerman,
Ellberg,	Limper,	Riley,	Andrews,
Eshback,	Lopresti,		Speaker
Eshleman,			
Farabaugh,			
Fetterolf,			
Filo,			
Fineman,			
Floyd,			
Flynn,			
Foerster,			
Fox,			
Frascella,			

### NAYS—5

Jim,	Mills,	Petrosky,	Sakulsky,
Maxwell,			

## NOT VOTING—42

Agnew,	Frank,	Moran,	Snare,
Barton,	Gibb,	Murphy, A. J., Jr.	Stoner,
Bell,	Gramlich,	Murray, H. P.,	Strausser,
Blair,	Guthrie,	Murray, P. G.,	Sullivan,
Boris,	Heffner,	Musto,	Thompson,
Bower,	Johnson, A. W.,	O'Dell,	Ujobai,
Brown,	Knecht,	O'Donnell, J. A.,	Varner,
Cooper,	McDonald,	Pursley,	Willard,
Donaldson,	McKeever,	Rigby,	Wilt,
Down,	Magee,	Seltzer,	Wynd,
Ewing,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1707, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) authorizing at the option of county committees the nomination of candidates for county city borough town and township offices by conventions of delegates primary meetings of delegates or caucuses.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. ANDREWS. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections and Apportionment.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. I will tell you why I made this motion. It is a commitment. The Committee was loathe to report the bill out. Incidentally, I very much favor the bill. But the Committee was loathe to report it. I finally made an agreement with the Chairman that if there were not at least 30 Members who were interested in the bill that I would move to recommit.

As I say, I am distressed that there are not 30 Members, I don't know if there are even three Members, but the Chair will pardon me if I take the liberty of remarking that I voted against the uniform primary. I have always been opposed to it. I regard it as an excrescence on the body of representative government, but I am not privileged to make a speech at this time. So I made the motion because it is a commitment.

Mr. WORLEY. Mr. Speaker, it was my understanding from the Speaker yesterday that I would be heard, but if that agreement is not to be kept, then I will say that I support the motion to recommit and these are my reasons which I ask to have spread in full in the Legislative Journal.

The SPEAKER pro tempore. The gentleman's remarks in support of the motion to recommit will be spread upon the Legislative Journal.

Mr. WORLEY. Mr. Speaker, this bill removes democracy away from the people. One of the greatest ways to have democracy live and have the people fully believe in it is to keep the decisions of all Primaries directly in control of the people and let the people "run the show." This is why I have always introduced joint resolutions for a National Primary for the nomination of President

and Vice President of the United States, and I oppose House Bill No. 1707, now before this House. If the people "run the show" in our government, we need never fear that any other "ism" or political theory will ever control their thinking on principles of government for the reason that a government operated by the people will be for the people and the people will be satisfied. On the other hand, if the agents and servants of the people in our government tend not to have a full confidence in the competency of the people to make decisions in Primaries, for example, then the people will start to lose confidence in the operations of that government and the government will grow increasingly corrupt in favor of political bums and bosses, and if a sufficient number of the people ever get fully disgusted with our government operations, the personnel of our government would definitely be changed, and if that did not bring what the people want, the form of our government might even be in danger. Now let's keep all our government in control of the people and vote down House Bill 1707.

Mr. STEWART. I oppose the motion because I do believe that the Speaker has the right approach to political campaigns and the selection of candidates. I have already discussed this with him. I think it is a mistake. I think you are fooling the people in pretending that they select their candidates at primary elections. I believe that the approach is as the Speaker has set forth and I think there should be a liberalization of the laws to permit other parties to file in primaries.

Mr. BUCHANAN. Mr. Speaker, would I be granted the same courtesy to speak on the bill as the previous speakers?

The SPEAKER pro tempore. The two previous speakers, the Chair rules did not speak on the bill; they spoke on the motion to recommit, either opposing it or supporting it.

The gentleman is in order when he speaks either to oppose or support the motion to recommit House Bill 1707, but not on the merits of the bill.

The gentleman may proceed.

Mr. BUCHANAN. I certainly am in favor of either defeating or recommitting this bill.

As you know, this bill will make it possible for a county committee to eliminate the primary election. In its place a county committee could institute a caucus or a convention—

The SPEAKER pro tempore. The Chair ruled that the gentleman can speak in support of the motion to recommit or oppose it. The Chair ruled that the gentleman must confine his remarks not to the merits of the bill but to the motion before the House.

The Chair rules that the gentleman is now discussing the merits of the bill and not the motion.

The gentleman may proceed.

Mr. ANDREWS. Asking the privilege to interrogate the gentleman from Indiana.

The SPEAKER pro tempore. Will the gentleman from Indiana permit himself to be interrogated?

Mr. BUCHANAN. I shall, Mr. Speaker.

Mr. ANDREWS. I would like to inquire why he is so eager to flog a dead horse?

Mr. BUCHANAN. This answer may be rather lengthy. I certainly want to establish on the record that I am definitely opposed to this bill. In 1903—



The SPEAKER pro tempore. The Chair rules that the gentleman is in order to discuss the motion and not the merits of the bill. The Chair will read the rule:

"The motion to commit or recommit is open only as to the reasons for or against reference to a committee and shall not include a discussion of the merits of the same question."

Mr. BUCHANAN. Mr. Speaker, I believe I am being interrogated. I am not speaking on the bill. I was asked a question.

The SPEAKER pro tempore. The Chair rules that the gentleman is in order to speak for or against the motion to recommit. The Chair has ruled that discussion of the merits of the bill is not in order, in compliance with House Rules.

The gentleman may proceed.

Mr. ANDREWS. Mr. Speaker, would I be privileged to further interrogate the gentleman?

The SPEAKER pro tempore. The gentleman from Cambria, Mr. Andrews, requests permission to interrogate the gentleman from Indiana, Mr. Buchanan. Will he permit himself to be interrogated?

Mr. BUCHANAN. I shall, if I can answer the questions.

Mr. ANDREWS. Will the gentleman assist me in securing 30 Members who will petition the Chairman of the Elections Committee to re-report the bill, and then we will have nothing to fight about except a shadow?

Mr. BUCHANAN. I am afraid that I cannot cooperate with that request because that would be against my principles. I am opposed to the bill.

Mr. ANDREWS. The Speaker agrees with the gentleman; he understands his obligation.

Mr. BUCHANAN. Mr. Speaker, I request the recommitment of this bill so as to prevent the primary election being eliminated in Cambria County.

#### QUESTION OF PERSONAL PRIVILEGE

Mr. SCHWARTZ. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHWARTZ. Mr. Speaker, at this point I feel like Mr. McCormack usually feels. I was up about half a dozen times and everybody else was recognized but me. I would like at this time to make the point I wanted to make before the motion was carried, if the Chair will permit.

The SPEAKER pro tempore. The Acting Speaker apologizes to the gentleman from Philadelphia for not seeing the gentleman rise. I think the gentleman would have the consent of the house if he wishes to state his point.

Mr. SCHWARTZ. I want to bring to the attention of the Speaker of the House a lesson in practical politics. I know I was not one of those whom he asked about this bill. I want to bring to his attention that if he is interested in legislation it might be wise to ask each and every Member of the House. I resent the fact that I was not asked by him whether I could be for this bill. I know of another gentleman in the House that you should have asked—we have a birthday boy from Montour County, Mr. Kessler, who very well may have agreed with the Speaker on this issue.

On the question recurring,

Will the House agree to the motion?  
It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440), entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority" designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelll,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvis,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.,	Wall,
Dennison,	Kelser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neil,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Eilberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polen,	Willaredt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Lulgard,	Rovanseck,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker
Galley,			

#### NAYS—0

#### NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.,	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobal,
Cooper,	Knecht,	O'Dell,	Varnier,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1733, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Financial Responsibility Act and other acts relating to the ownership possession and use of vehicle and tractors" redefining Motorcycle limiting the use of the transcript and the record of a suspension hearing exempting certain vehicles from lighting requirements providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and assistant chief of police to be equipped with a siren extending the time during which a red light must be placed at the end of a load prohibiting parking in certain additional places requiring operators to obey the directions of signs extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. BOWMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, line of Title, by striking out "(Act No. 32)" and inserting "(P. L. 58)."

Amend Title, page 1, 5th and 6th lines of Title, by striking out "limiting" in line 5, and all of line 6.

Amend Sec. 1, page 2, line 2, by striking out "subsection (h) section 618."

Amend Sec. 1, page 2, line 6, by striking out "(Act No. 32)" and inserting "(P. L. 58)."

Amend Sec. 1 (Sec. 618), page 3, lines 18 to 20, page 4, lines 1 to 15, by striking out all of said lines.

Amend Bill, page 7, line 14, by striking out all of said line.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. BOWMAN. Mr. Speaker, outside of a few correctional amendments which are included in that set of amendments, the amendments which I am offering eliminate the provisions of the bill which state that the transcript of hearing testimony taken before the Secretary incident to a suspension or revocation of a license shall be privileged and shall not be used for any other purpose.

My amendment is to delete that new section in the code which in effect is keeping the present law as it now exists. Under existing law transcript of the testimony developed at a hearing for any proper purpose in the courts on appeal, or for any other legitimate purpose. This amendment attempts to make that privileged. I will try to be as brief as possible in respect to the background of this matter.

First I want to point out that the accident report which everyone is required to file if they have an accident involving property damage over \$100 or personal injury, is and continues to be a privileged matter. In other words, the accident report file which is necessary for the

obtaining of statistical material and other information continues to be privileged. However, under existing law, if you are called before the Secretary incident to a suspension or revocation, that matter is not privileged, and by this amendment I hope to continue it as non-privileged.

You will hear, I believe, that people come to these hearings without lawyers, which is fine, I have no objection to that at all. You will also hear that these people perhaps might say something at the hearing which might be held against them in court in the future. My answer to that is very simple. Anything said at a hearing should be subject to scrutiny at any time by anybody. How else are we going to get to the truth of the matter at a hearing before the Secretary unless that hearing matter is subject to scrutiny by some person for some purpose? I do not see any real purpose in making the material gathered in a hearing before the Secretary privileged. I see no logic to it, I see no sense to it. On the other hand to keep it non-privileged to me makes a lot of sense. Why? For this simple reason, if you are going to have privileged material go before the Secretary in what possible way is the Secretary going to have any assurance that the material developed there is true. If any people are called before a hearing and they know they have a privileged communication, they do not necessarily have to tell the truth because it is not subject to future scrutiny, and in this case I think that is what would happen.

I also believe that if a person tells the Secretary one thing at a hearing, and attempts to tell the court something else at a subsequent hearing on a civil or criminal matter, what he said before the Secretary is certainly pertinent and important to determine the truth of the matter.

I therefore think there is no basic reason for making this privileged and I request your support for this amendment.

Mr. SCHAAF. Mr. Speaker, I would like to suggest one reason why the amendment should be opposed.

It has been my limited experience that even when a person called upon to testify before the Secretary is himself represented by an attorney there are situations, and I have had it in personal experience, when the individual and his attorney are refused permission in the hearing room at such time as testimony concerning the circumstances of the accident or the violation is being taken.

To me a fundamental concept in Anglo-Saxon jurisprudence is the right of one person to face the witnesses who say something in accusation or derogation of his particular rights. I suggest that when you permit a witness to testify against a person who presumably or possibly might lose his license, then you are violating that basic Anglo-Saxon privilege.

Now, to go one step further and to say that the record of this particular case, the transcript taken by the hearing examiner can become binding on the individual concerned, I think you go too far. These amendments should be defeated.

Mr. LOPRESTI. Mr. Speaker, I likewise want to oppose these amendments.

To carry on where the gentlemen left off, the hearings held by the Department are many times held in sections. I mean by that one witness will appear one time, and then because of the absence of another witness the hearing will be postponed and somebody else will appear at another time. Sometimes one of the parties is there



and at other times one party of the accident will be absent. In general demeanor the hearings are conducted rather informally. Questions are asked which in an ordinary court of law would not be permitted; leading questions and all sorts of things which go on at an informal hearing, and which would not be permitted in a court of law. I think it is wrong to allow these things to be used in a court, and then the witnesses to be confronted with, didn't you say this before the hearing examiner? Taken out of context it could mean a lot of things. The attorney can then argue that he said something different one time about something, and we get into a lot of hassels. I believe these amendments should be defeated.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—142

Anderson,	Gallagher,	McCormack,	Scarcell,
Arlene,	Garlock,	McLaughlin,	Schaaf,
Auker,	Gelfand,	Machmer,	Schuster,
Balthaser,	Goldstein,	Mahan,	Schwartz,
Boies,	Hamilton,	Markley,	Sherman,
Bonner,	Heavey,	Maxwell,	Shupnik,
Branca,	Helm,	Meholchick,	Silverman,
Brenninger,	Henzel,	Mihm,	Snider,
Breth,	Hocker,	Miller, H. G.,	Stank,
Burns,	Holliday,	Mills,	Steckel,
Capano,	Holt,	Monroe,	Stevens,
Capitolo,	Horst,	Muldowney,	Stewart,
Cianfrani,	Irvis,	Mullen,	Stimmel,
Cioffi,	Jenkins,	Munley,	Stone,
Clarke,	Jim,	Murray, J. J.,	Stroup,
Comer,	Johnson, R.,	Naugle,	Taylor,
Crossin,	Jones, F. R.,	Needham,	Trusio,
Curwood,	Jones, T. H. W.,	Nelson,	Varallo,
Dengler,	Jump,	O'Donnell, J. P.,	Verona,
Dennis,	Kamyk,	O'Neil,	Walsh,
Dennison,	Kee,	Parlante,	Wargo,
Devlin,	Kelser,	Pashley,	Welsh,
Donahue,	Kernaghan,	Perry, H. H.,	Wescott,
Dougherty,	Kessler,	Perry, P. E.,	Wheeler,
Eilberg,	Kornick,	Petrosky,	Whittaker,
Eshback,	Kovolenko,	Polaski,	Williams, A. D., Jr.,
Farabaugh,	Kubitsky,	Polen,	Williams, E. S.,
Fetterolf,	Lamb,	Prendergast,	Willaredt,
Filo,	Lee, K. B.,	Reibman,	Worley,
Fineman,	Leonard,	Reidenbach,	Wynd,
Floyd,	Limper,	Renwick,	Yatron,
Flynn,	Lopresti,	Riley,	Yetter,
Foerster,	Luigard,	Rovansek,	Zimmerman,
Frascella,	Lutty,	Royer,	Andrews,
Fulmer,	McCandless,	Ruditsill,	Speaker
Galley,	McCann,	Sakulsky,	

#### NAYS—26

Ashton,	George,	Lippincott,	Price,
Bowman,	Goodrich,	McInroy,	Seltzer,
Buchanan,	Isaacs,	Miller, B. Z.,	Tompkins,
Davis,	Kooker,	Murphy, P. J.,	Wall,
Edwards,	Korns,	Odorisio,	Weidner,
Eshleman,	Lee, A. M.,	Ogilvie,	Wood,
Fox,	Light,		

#### NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Szare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.,	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobal,
Cooper,	Knecht,	O'Dell,	Varnier,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### WELCOME TO MOROCCO REGIONAL INSPECTORS

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a group of eight Regional Inspectors of the Ministry of Education of Morocco, who are present with their advisor, Mrs. Cecil S. Garey.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1820, entitled:

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) changing standards and qualifications for hospitals in which interns may train.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOIES. Mr. Speaker, originally it was my intention to attempt to amend House Bill 1820 today but, there has been a mess of misinformation given out on this bill, and there has been an instance of what I consider improper, unethical lobbying.

I am not one to criticize anybody for lobbying for a measure they are interested in, but I do believe there is a limit, and in this case the limit has been already exceeded. I understand there are several Members who, in my opinion, are under misapprehension and desire to further amend this bill.

On the question recurring,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. BOIES. Mr. Speaker, I move that this bill be re-committed to the Committee on Professional Licensure.

The motion was agreed to.

### CONGRATULATIONS

Mr. LOPRESTI. Mr. Speaker, for just a brief moment I would like to acknowledge today the birthday of one of our most beautiful and gracious ladies. I want to call to the attention of the Members of the House the birthday of Mrs. Marian Munley, who is today further beautified by a beautiful orchid.

The Members joined in singing "Happy Birthday" led by Mr. Dengler.

### CONGRATULATIONS

Mr. TOMPKINS. Mr. Speaker, once in a while it is a happy occasion when you stand up here and talk. Perhaps you have all been wondering what that lone light in the darkness is in the rear of the room. That happens to be a nice birthday cake that the friends and neighbors of the gentleman from Montour placed upon his desk today because it is the birthday of Mr. Kessler.

The Members joined in singing "Happy Birthday" led by Mr. Dengler.

The SPEAKER pro tempore. The Chair recognizes the lady from Lackawanna, Mrs. Munley.

Mrs. MUNLEY. Mr. Speaker, being Irish I am sentimental, and something like this really chokes me up. I would like to thank the Members of the House and also our Chief Clerk and his staff for their kindness in remembering me on my birthday. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montour, Mr. Kessler.

Mr. KESSLER. Mr. Chairman, it is with a sense of deep humility that I stand before you because when I first came here, I was a stranger and you welcomed me. When I needed aid and help you did everything you could regardless of party affiliation to guide me. Therefore I sincerely and truly say with all my heart, that I think you are the nicest people I have ever known. I thank you.

### BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 935 on page 12 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessments law" specifying when tax levies shall first be based on assessments from valuations made with use of the permanent system of records.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelli,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvist,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusilo,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.,	Wall,
Dennison,	Keiser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neill,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Elberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polen,	Willaredt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Luigard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker
Galley,			

### NAYS—0

### NOT VOTING—40

Agnew,	Ewing,	Mages,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.,	Strausser,
Boris,	Guthrie,	Murray, H. P.	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujosal,
Cooper,	Knecht,	O'Dell,	Varnier,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. LOPRESTI.

The House resumed the consideration on final passage of House Bill No. 1893, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing that the additional examination required for school bus operators shall also apply to operators of buses subject to the jurisdiction of the Pennsylvania Public Utility Commission which carry school children.

On the question,

Will the House agree to the bill on third reading?

Mr. T. H. W. JONES asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."

Amend Title, page 1, fifth line of Title, by inserting after "examination" "be."

Amend Title, page 1, fifth line of Title, by inserting after "for" "all."

Amend Title, page 1, last three lines of Title, by striking out "shall also apply to operators of buses subject to the" in third from last line, and all of last two lines.

Amend Sec. 1, page 2, line 1, by striking out "(Act No. 32)" and inserting: "(P. L. 58)."

Amend Sec. 1 (Sec. 609), page 2, line 4, by inserting brackets before and after "school" where it appears the first time.

Amend Sec. 1 (Sec. 609), page 2, line 4, by inserting after "bus" "for the principal purpose of, or chartered for the purpose of."

Amend Sec. 1 (Sec. 609), page 2, line 5, by inserting after "children" "for school purposes, or to or from school sponsored extracurricular activities, whether as participants or spectators, or between their homes and Sunday School, and whether or not under contract with or owned by any school district, private school or parochial school."

Amend Sec. 1 (Sec. 609), page 3, line 2, by inserting a bracket before "The".

Amend Sec. 1 (Sec. 609), page 3, line 2, by striking out the brackets before and after "not".

Amend Sec. 1 (Sec. 609), page 3, line 2, by striking out the brackets before and after "operators".

Amend Sec. 1 (Sec. 609), page 3, line 3, by striking out "persons."



Amend Sec. 1 (Sec. 609), page 3, line 4, by inserting a bracket after "Commission."

Amend Sec. 1 (Sec. 609), page 3, lines 4 to 9, by striking out "if such persons operate" in line 4, and all of lines 5 to 9.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 36 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" further regulating the investment of borough funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelll,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvs,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.,	Wall,
Dennison,	Keiser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neill,	
Dougherty,	Kooker,	Parlante,	
Edwards,	Kornick,	Pashley,	
Eilberg,	Korns,	Perry, H. H.,	
Eshback,	Kovolenko,	Perry, P. E.,	
Eshleman,	Kubitsky,	Petrosky,	
Farabaugh,	Lamb,	Polaski,	
Fetterolf,	Lee, A. M.,	Polen,	
Filo,	Lee, K. B.,	Prendergast,	
Fineman,	Leonard,	Price,	
Floyd,	Light,	Reibman,	
Flynn,	Limper,	Reidenbach,	
Foerster,	Lippincott,	Renwick,	
Fox,	Lopresti,	Riley,	
Frascella,	Luigard,	Rovansek,	
Fulmer,	Lutty,	Royer,	
Gailey,			Speaker

### NAYS—0

### NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.,	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujohal,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. We are relieving the Majority Leader temporarily. I expect him back to finish up.

The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I would like to request that all the Members remain right here until we finish the conference in the Senate, for we may have to have a midnight Session following our conference. I ask that all the Members please remain until the conference is over.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 38, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelll,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvs,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Verona,
Dennison,	Kee,	O'Donnell, J. P.,	Wall,
Dengler,	Keiser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,

Donahue, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frascella, Fulmer, Galley,	Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty,	O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Yatron, Yetter, Riley, Rovanseck, Royer,	Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wood, Worley, Wynd, Yatron, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—40

Agnew, Barton, Bell, Blair, Boris, Bower, Brown, Cooper, Donaldson, Down,	Ewing, Frank, Gibb, Gramlich, Guthrie, Heffner, Johnson, A. W., Knecht, McDonald, McKeever,	Magee, Merry, Moran, Murphy, A. J., Jr. Murray, H. P., Murray, P. G., Musto, O'Dell, O'Donnell, J. A., Pursley,	Rigby, Snare, Stoner, Strausser, Sullivan, Thompson, Ujobai, Varner, Willard, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 41, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson, Arlene, Ashton, Auker, Balthaser, Boles, Bonner, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Dougherty, Edwards,	Gallagher, Garlock, Gelfand, George, Goldstein, Goodrich, Hamilton, Heavey, Helm, Henzel, Hocker, Holliday, Holt, Horst, Iris, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick,	McCandless, McCann, McCormack, McInroy, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, P. J., Murray, J. J., Naugle, Needham, Nelson, O'Donnell, J. P., Odorisio, Oglvie, O'Neill, Parlante, Pashley,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stroup, Taylor, Tompkins, Trusio, Varallo, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott,
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Eilberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frascella, Fulmer, Galley,	Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty,	Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Riley, Rovanseck, Royer,	Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—40

Agnew, Barton, Bell, Blair, Boris, Bower, Brown, Cooper, Donaldson, Down,	Ewing, Frank, Gibb, Gramlich, Guthrie, Heffner, Johnson, A. W., Knecht, McDonald, McKeever,	Magee, Merry, Moran, Murphy, A. J., Jr. Murray, H. P., Murray, P. G., Musto, O'Dell, O'Donnell, J. A., Pursley,	Rigby, Snare, Stoner, Strausser, Sullivan, Thompson, Ujobai, Varner, Willard, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 65, Printer's No. 65

Senate Bill No. 66, Printer's No. 66

Senate Bill No. 68, Printer's No. 68

Senate Bill No. 74, Printer's No. 279 and

Senate Bill No. 143, Printer's No. 1245

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 148, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" changing the limitation on appropriations which may be made for agricultural work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson, Arlene, Ashton, Auker, Balthaser, Boles, Bonner, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke,	Gallagher, Garlock, Gelfand, George, Goldstein, Goodrich, Hamilton, Heavey, Helm, Henzel, Hocker, Holliday, Holt, Horst, Iris, Isaacs, Jenkins, Jim,	McCandless, McCann, McCormack, McInroy, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stroup,
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Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.	Wall,
Dennison,	Kelser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neil,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polen,	Willaredt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Lulgard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker

## NAYS—0

## NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobai,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 637, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" increasing the amount the commissioners may spend in contracts without written bids.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelli,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvis,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,

Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.	Wall,
Dennison,	Keiser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neil,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Light,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polen,	Willaredt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Luigard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker
Galley,			

## NAYS—0

## NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobai,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 683, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "Insurance Company Law of 1921" further regulating procedures to merge and consolidate mutual insurance company.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelli,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvis,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
	Jones, F. R.,	Murray, J. J.,	Tompkins,
	Jones, T. H. W.,	Naugle,	Trusio,
	Jump,	Needham,	Varallo,

Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.	Wall,
Dennison,	Keiser,	O'Dorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neil,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polen,	Willaredt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Luigard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker

## NAYS—0

## NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobai,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 772, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" increasing the limitations on appropriations which may be made for agricultural extension work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelli,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvis,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.	Wall,
Dennison,	Keiser,	O'Dorisio,	Walsh,

Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neil,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Williams, A. D., Jr.,
Fetterolf,	Lee, A. M.,	Polen,	Williams, E. S.,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Light,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Luigard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker

## NAYS—0

## NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobai,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 811, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the membership of county board of school directors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelli,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Irvis,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,
Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.	Wall,
Dennison,	Keiser,	O'Dorisio,	Walsh,
Donahue,	Kernaghan,	Ogilvie,	Wargo,
Dougherty,	Kessler,	O'Neil,	Weidner,
	Kooker,	Parlante,	Welsh,



Edwards,	Kornick,	Pashley,	Wescott,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Williams, A. D., Jr.,
Fetterolf,	Lee, A. M.,	Polen,	Williams, E. S.,
Flo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Luigard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker

## NAYS—0

## NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.	Strausser,
Boris,	Guthrie,	Murray, H. P.,	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobai,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 832, Printer's No. 1027 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 833, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the selection of supervising principals of joint organizations of school districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—168

Anderson,	Gallagher,	McCandless,	Rudisill,
Arlene,	Garlock,	McCann,	Sakulsky,
Ashton,	Gelfand,	McCormack,	Scarcelli,
Auker,	George,	McInroy,	Schaaf,
Balthaser,	Goldstein,	McLaughlin,	Schuster,
Boles,	Goodrich,	Machmer,	Schwartz,
Bonner,	Hamilton,	Mahan,	Seltzer,
Bowman,	Heavey,	Markley,	Sherman,
Branca,	Helm,	Maxwell,	Shupnik,
Brenninger,	Henzel,	Meholchick,	Silverman,
Breth,	Hocker,	Mihm,	Snider,
Buchanan,	Holliday,	Miller, B. Z.,	Stank,
Burns,	Holt,	Miller, H. G.,	Steckel,
Capano,	Horst,	Mills,	Stevens,
Capitolo,	Iris,	Monroe,	Stewart,
Cianfrani,	Isaacs,	Muldowney,	Stimmel,
Cioffi,	Jenkins,	Mullen,	Stone,
Clarke,	Jim,	Munley,	Stroup,
Comer,	Johnson, R.,	Murphy, P. J.,	Taylor,
Crossin,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Curwood,	Jones, T. H. W.,	Naugle,	Trusio,

Davis,	Jump,	Needham,	Varallo,
Dengler,	Kamyk,	Nelson,	Verona,
Dennis,	Kee,	O'Donnell, J. P.,	Wall,
Dennison,	Keiser,	Odorisio,	Walsh,
Devlin,	Kernaghan,	Ogilvie,	Wargo,
Donahue,	Kessler,	O'Neill,	Weidner,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Ellberg,	Korns,	Perry, H. H.,	Wheeler,
Eshback,	Kovolenko,	Perry, P. E.,	Whittaker,
Eshleman,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Lamb,	Polaski,	Williams, E. S.,
Fetterolf,	Lee, A. M.,	Polen,	Willaredt,
Flo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Reibman,	Wynd,
Flynn,	Limper,	Reidenbach,	Yatron,
Foerster,	Lippincott,	Renwick,	Yetter,
Fox,	Lopresti,	Riley,	Zimmerman,
Frascella,	Luigard,	Rovansek,	Andrews,
Fulmer,	Lutty,	Royer,	Speaker

## NAYS—0

## NOT VOTING—40

Agnew,	Ewing,	Magee,	Rigby,
Barton,	Frank,	Merry,	Snare,
Bell,	Gibb,	Moran,	Stoner,
Blair,	Gramlich,	Murphy, A. J., Jr.	Strausser,
Boris,	Guthrie,	Murray, H. P.	Sullivan,
Bower,	Heffner,	Murray, P. G.,	Thompson,
Brown,	Johnson, A. W.,	Musto,	Ujobai,
Cooper,	Knecht,	O'Dell,	Varner,
Donaldson,	McDonald,	O'Donnell, J. A.,	Willard,
Down,	McKeever,	Pursley,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I have met with the caucus now in session and their decision will be available to the House in 15 minutes. At that time the decision will be given by the Republican Senate Caucus to the House.

The SPEAKER. Will the Majority Leader return to his post of duty on the Speaker's rostrum.

## Mr. McCANN IN THE CHAIR

## ANNOUNCEMENT

Mr. McCANN. Ladies and gentlemen of the House, the House will convene tomorrow at 12:00 noon. I request that all of you secure your hotel rooms again for tonight. All the Members will be sent for.

There will be a special Session here tomorrow on the tax program which the Senate will pass in just a few minutes. The House will be in session at 12:00 noon daylight saving time tomorrow, the time agreed upon by both parties.

## ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Thursday, August 20, 1959 at 11:00 a.m. EST.

The motion was agreed to, and (at 5:06 p.m. EST), the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., THURSDAY, AUGUST 20, 1959.

No. 82.

## SENATE

THURSDAY, AUGUST 20, 1959

The Senate met at 11:00 o'clock, a. m. Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The following was offered by the gentleman from Centre, Mr. HAYS:

I would like to use a prayer that I discovered some months ago.

Let us pray.

Our Father, help us to act on the bit of truth we know. If we say we believe in brotherhood, give us the determination to make full and creative life possible for all people. If we say we believe in love, give us courage to take the risks involved in loving intelligently. If we say we believe in prayer, give us the willingness to face ourselves fearlessly, to think courageously about the problems confronting us, to work for the achievement of a radiant life. If we say we believe we have responsibility to share life, give us a sense of our need to re-consecrate ourselves for their sakes. May we fail none—not those witnesses who have gone before, nor ourselves, nor the youth who follow on. Forgive us our failures, send us forth with resoluteness, that the power which is as available to us as it was to Jesus, and which he used, may be ours. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the pre-

ceding session, when, on motion of Mr. PROPERT and Mr. TAYLOR, further reading was dispensed with, and the Journal was approved.

The PRESIDENT. The Senate will be ease, awaiting a communication from the House of Representatives.

(The Senate was at ease.)

## HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE  
BILL No. 1285

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1285 entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing the definition of purchase price to include within such definition the value of personal property taken as a trade-in or exchange.

## BILL SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

House Bill No. 1285, Printer's No. 1367.

## ADJOURNMENT

Mr. PROPERT. Mr. President, I move that the Senate do now adjourn until Monday, August 24, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:52 o'clock, p. m., Eastern Standard Time, until Monday, August 24, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

THURSDAY, August 20, 1959

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, as humble servants of Thine we invoke Thy Divine Blessing upon this special assembly. Endow them with Thy wisdom that the decisions which they reach may be in accord with Thy will and Thy way. Bestow upon them that sense of cooperation, so that the best interests of all people may be fostered and served. And furnish them with those natural talents and guide and direct them therein, in order that the work which they do may be done to Thy name's honor and glory: through Jesus Christ, Thy dear Son, our Lord, who liveth and reigneth with Thee and the Holy Ghost, ever one God, world without end. Amen.

## JOURNAL APPROVAL POSTPONED

The Speaker. If there is no objection, the approval of the Journal for Wednesday, August 19, 1959 will be postponed until printed.

The Chair hears none.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. AGNEW for today.  
Mr. Tompkins for Mr. DONALDSON for today.  
Mr. Tompkins for Mr. GOODRICH for today.  
Mr. Tompkins for Mr. EWING for today.  
Mr. Tompkins for Mr. STRAUSSER for today.  
Mr. Tompkins for Mr. BUCHANAN for today.

## SENATE MESSAGE

The SPEAKER. The Clerk of the Senate being introduced, presented for concurrence in Senate amendments, House Bill No. 1285 which will lie upon the Speaker's table temporarily.

Mr. McCANN. Various Members have asked whether House Bill No. 1285 is here.

Will the gentleman in charge make the necessary preparations to distribute the printed bill?

The SPEAKER. The Chair understands the bill is now on the desk.

Mr. McCANN. It should be in all the books.

The SPEAKER. The Chair understands the bill is in the files of the Members under Printer's No. 1367. If that is not the case, the Chair would like to be informed.

## DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I request the immediate caucus of the Democratic Members in the New House Caucus room with no break for lunch, total length of time not to exceed thirty minutes.

Mr. A. W. JOHNSON. Mr. Speaker, I concur in the suggestion that we have immediately a caucus of 30 minutes.

## RECESS

The SPEAKER. There being no objection, the Chair declares a recess of one-half hour for the purpose of caucuses of the respective parties.

Democratic Caucus and the Republican Caucus will meet immediately in the accustomed caucus rooms.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) in THE CHAIR

The SPEAKER. The Chair takes from the Speaker's table and lays before the House, House Bill No. 1285, as amended in the Senate, in which amendments the concurrence of the House is requested.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1285.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "An act to provide revenue for purposes of public education by imposing a tax on the sale use storage rental or consumption of certain personal property and certain services providing for licenses reports and payment of tax interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers corporations partnerships associations and individuals and making an appropriation" defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services providing certain exemptions providing for uncollectible accounts adding provisions concerning refunds increasing the rate of tax imposition and changing the bracket and basis to reflect certain tax increases.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 2, by inserting after line 2 the following: "providing certain exemptions providing for uncollectible accounts adding provisions concerning refunds"; Section 1, page 2, line 2, by striking out after the figures "1959" the following: "(Act No. 14)"; line 10, by inserting after the word "bottle" the words "of less than one gallon capacity"; page 3, line 8, by striking out after the word "juices" the word "of" and inserting in lieu thereof the word "or"; Section 2, page 2, line 14, by striking out after the word and figure "Section 2" the word "clause" and inserting in lieu thereof the following: "clauses (a) and (e) subclause (1) of clause (f) and clauses (h) and (j)"; line 16 by striking out after the word "act" the word "is" and inserting in lieu thereof the following: "amended April 15, 1959 (P. L. 20) are"; page 4, by striking out the following: "Section 3 clauses (e) h and (j) of section 2 of the act amended April 15, 1959 (Act No. 14) is amended to read Section 2 Definitions line 18, by striking out after the word "security" the brackets and the words as follows: "shall be considered an acquisition of such possession custody of license to use or consume"; page 6 by inserting after line 2 the following:

(F) "Purchase price"



(L) The total value of anything paid or delivered or promised to be paid or delivered whether it be money or otherwise in complete performance of a sale [lease] at retail or purchase at retail [of tangible personal property] as herein defined without any deduction on account of the cost or value of the property sold cost or value of transportation cost or value of labor or service interest or discount paid or allowed after the sale is consummated any other taxes imposed by the Commonwealth of Pennsylvania or any other expense but excluding the value of the following (i) returnable container (ii) labor or service cost in delivering [or warranting] installing or applying the property sold if the consideration therefor is stated separately from the consideration paid for the property or services sold at retail provided however that the term "delivering" shall include only actual transportation from the vendor's place of business or storage to the place designated by the purchaser and provided further that no deduction may be made on account of the cost or value of materials time labor or service in [installing applying or repairing tangible personal property] the rendition of those services described in sub-clauses (2) (3) and (4) of clause (j) of this section page 8, by inserting after line 15 the following:

(3) The physical incorporation of personal property as an ingredient or constituent in the construction of foundations for machinery or equipment the sale or use of which is excluded from the tax under the provisions of paragraphs (a) (b) and (c) of clause (j) and subparagraphs (i) (ii) and (iii) of paragraph (c) of clause (n) of this section whether such foundations at the time of construction or transfer constitute personal property or real estate page 10, line 2, by striking out after the word "altering" the word "maintaining.."; and by striking out the bracket before the word "or" where it appears the second time; line 4, by striking out after the word "other" the word "tangible" and by striking out the bracket after the word "consideration"; line 11, by inserting after the word "performed" the following: "whether the services are performed directly or by means of coin-operated equipment or by any other means" line 14, by striking out after the word "upon" the words "tailoring or altering" and inserting in lieu thereof the word "such"; line 15, by striking out after the word "the" the words "manufacture and"; line 16, by striking out after the word and figure "clause 1" the figure "(1)"; line 20, by striking out after the word "than" the word "a" and inserting in lieu thereof the word "as"; page 11, line 3, by striking out after the word "after" the words "the effective date of this amendment"; line 5, by striking out after the word "than" the word "a" and inserting in lieu thereof the word "as"; page 11, by inserting after line 5, the following:

(7) Any retention of possession custody or a license to use or consume tangible personal property or any further obtaining of services desuanto a rental or service contract or other arrangement (other than as security) page 12, line 8, by striking out after the word "paragraphs" the brackets and the figure "(1)"; page 14, line 11, by striking out after the word "Section" the figure and the word "4 The" and inserting in lieu thereof the figures and words "3 Section of the"; line 12, by striking out after the letter "(j)" the words and figure "of Section 2"; page 14, by inserting after line 12 the following: "Section 2 Definitions"; line 15 by striking out at the beginning of the line the letter and figure "j 1" and inserting in lieu thereof the letter and figure "j.1" line 17 by striking out at the beginning of the line the letter and figure "j 2" and inserting in lieu thereof the letter and figure "j.2"; line 17, by striking out after the word "person" the word "primarily"; page 15, line 2 by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4"; line 19, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "5"; page 16, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6"; page 16, line 8, by striking out after the figures "1959" the following: "(Act No. 14)"; line 19, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the

figure "7"; line 20, by striking out after the figures "1959" the following: "(Act No. 14)"; page 17, line 12, by inserting after the word "tangible" the word "personal"; line 17, by striking out at the beginning of the line the word "maintaining"; line 17, by striking out the bracket preceding the word "or"; line 19, by striking out the bracket after the word "property"; page 18, line 7, by inserting after the word "performed" the following: "whether the services are performed directly or by means of coin-operated equipment or by any other means" line 10, by striking out after the word "upon" the words "tailoring or altering" and inserting in lieu thereof the word "such"; line 11, by striking out after the word "the" the words "manufacture and"; line 12, by striking out after the word and figure "clause (1)" the figure "(1)"; page 20, line 8, by striking out after the word "and" the word "equipment" and inserting in lieu thereof the word "equipment"; line 11, by striking out after the word "property" the brackets and the word "is"; and by striking out after the line 14, the following page 21, line 6, by striking out after the word "purchases" the word "by" and inserting in lieu thereof the word "from"; line 7, by striking out after the word "beverages" the word "from" and inserting in lieu thereof the word "by"; page 22, line 4, by striking out after the word "Section" the words and figures "9 Sections 201 and 202" and inserting in lieu thereof the word and figures "8 Section 201"; line 5, by striking out after the figures "1959" the following: "(Act No 14) are" and inserting after the letters and figures "P L 20" the following: "and June 9 1959 (Act No 91) is"; page 23, line 2, by striking out after the word "four" the word "percent" and inserting in lieu thereof the words "per cent"; page 23, by inserting after line 5 the following: "(c) Notwithstanding any other provisions of this act the tax with respect to intrastate telephone service and intrastate telegraph service within the meaning of subclause (13) of clause (1) of section 2 of this act shall except for telegrams paid for in cash at telegraph offices be computed at the rate of [three and one-half] four per cent upon the total amount billed to customers periodically for such service irrespective of whether such billing is based upon a flat rate or upon a message unit charge

Section 9 Section 202 of the act amended April 15 1959 (P L 20) is amended to read; page 24, line 4, by striking out after the words and figures "than (thirty cents (30¢))" the words and figures "thirty-one cents (31¢)" and inserting in lieu thereof the words and figures "twenty-six cents (26¢)"; line 6, by striking out after the words and figures "is (thirty cents (30¢))" the words and figures "thirty-one cents (31¢)" and inserting in lieu thereof the words and figures "twenty-six cents (26¢)"; line 8, by striking out after the word and figures "(cents (60¢))" the words and figures "fifty-six cents (56¢)" and inserting in lieu thereof "fifty-one cents (51¢)" line 10, by striking out after the words and figures "is (sixty cents (60¢))" the words and figures "fifty-six cents (56¢)" and inserting in lieu thereof the following: "fifty-one cents (51¢)"; line 12 by striking out at the beginning of the line the words and figures "eighty-one cents (81¢)" and inserting in lieu thereof the words and figures "seventy-six cents (76¢)" line 14 by striking out after the words and figures "is (ninety cents (90¢))" the words and figures "eighty-one cents (81¢)" and inserting in lieu thereof the words and figures "seventy-six cents (76¢)"; and by striking out after line 17, the following: "((f) Bracket out remainder of section)";

Amend Section Section 9, page 24, line 19 by striking out the following:

[ (F) If the purchase price is one dollar and twenty cents (\$1.20) or more but less than one dollar and fifty cents (\$1.50) five cents (5c) shall be collected.

(G) If the purchase price is one dollar and fifty cents (\$1.50) or more but less than one dollar and eighty cents (\$1.80) six cents (6¢) shall be collected.

(H) If the purchase price is one dollar and eighty cents (\$1.80) or more but less than two dollars and eleven cents (\$2.11) seven cents (7c) shall be collected.

(I) If the purchase price is two dollars and eleven cents (\$2.11) or more the tax shall be collected at the



rate of three and one-half per cent of such purchase price adjusted to the next highest cent or in accordance with such bracket schedule as the department may by regulation prescribe.]

Amend bill, page 26, line 4, by inserting the following:

Section 10 Section 203 of the act amended April 15, 1959 (P. L. 20) is amended by adding after clause (B) a new clause to read:

Section 203 Exclusions from tax the tax imposed by section 201 shall not be imposed upon.

(B.1) The use of tangible personal property purchased outside this Commonwealth for use outside this Commonwealth by a then non-resident natural person or a business entity not actually doing business within this Commonwealth who later brings such tangible personal property into this Commonwealth in connection with his establishment of a permanent business or residence in this Commonwealth provided that such property was purchased more than six months prior to the date it was first brought into this commonwealth or prior to the establishment of such business or residence whichever first occurs this exclusion shall not apply to tangible personal property temporarily brought into Pennsylvania for the performance of contracts for the construction reconstruction remodeling repairing and maintenance of real estate.

Section 11 clause (d) of section 203 added April 15, 1959 (P. L. 20) is amended to read:

Section 203 exclusions from tax the tax imposed by section 201 shall not be imposed upon.

\* \* \*

(D) The sale at retail or use of materials to be incorporated into and made a part of real estate pursuant to a contract for the construction reconstruction remodeling repairing maintenance or sale of such real estate when the contract is either at a fixed price not subject to change or modification or entered into pursuant to the obligation of a formal written bid which cannot be altered or withdrawn and in either case such contract was entered into or such bid made on or after March 7, 1956 but prior to [the date of enactment of this amendment] April 15, 1959 shall be exempt from the additional one-half of one per cent of tax imposed by section 201 of this act as amended [hereby] April 15, 1959 (P. L. 20) and from the additional one-half of one per cent of tax imposed by section 201 of this act as amended hereby provided however that the exemption granted by this subclause shall not be claimed by the purchaser from any vendor but shall be claimed only by the filing of a refund petition with the department as provided by section 552 of this act.

Section 12 section 203 of the act is amended by adding after clause (d) a new clause to read:

Section 203 exclusions from tax the tax imposed by section 201 shall not be imposed upon.

\* \* \*

(D.1) The sale at retail or use of materials to be incorporated into and made a part of real estate pursuant to a contract for the construction reconstruction remodeling repairing maintenance or sale of such real estate when the contract is either at a fixed price not subject to change or modification or entered into pursuant to the obligation of a formal written bid which cannot be altered or withdrawn and in either case such contract was entered into or such bid made on or after April 15, 1959 but prior to the effective date of this amendment shall be exempt from the additional one-half of one per cent of tax imposed by section 201 of this act as amended hereby provided however that the exemption granted by this subclause shall not be claimed by the purchaser from any vendor but shall be claimed only by the filing of a refund petition with the department as provided by section 552 of this act.

\* \* \*

Section 13 clauses (E) (F) and (O) of section 203 of the act amended April 15, 1959 (P. L. 20) are amended to read:

Section 203 exclusions from tax the tax imposed by section 201 shall not be imposed upon.

\* \* \*

(E) The sale at retail to use by (1) any charitable organization volunteer firemen's organization or non-

profit institution or (2) a religious organization for religious purposes of tangible personal property or services provided however that the exclusion of subsection (E) shall not apply with respect to any tangible personal property or services used in any unrelated trade or business carried on by such organization or institution or with respect to any tangible personal property defined in paragraph (3) of section 2 (1) of this act except materials and supplies when purchased by such organizations or institutions for routine maintenance and repairs.

(F) The sale at retail or use of [tubes and replacement parts] machinery equipment parts supplies and the obtaining of those services described in subclauses (2) and (4) of clause (J) of section 2 of this act directly used in broadcasting radio and television programs by licensed stations.

\* \* \*

(O) The sale at retail or use of supplies and materials to be used exclusively in the fulfillment of a contract for the construction reconstruction, remodeling repairing or maintenance of real estate when such contract was entered into prior to March 7, 1956 between the person who would otherwise be subject to the tax and a municipal authority incorporated under the "municipality authorities act of 1945" provided that notice of a claim of exemption under this clause is received by the department within fifteen days after the effective date of this clause.

(O.1) The sale at retail or use of materials to be incorporated into and made a part of real estate pursuant to a contract for the construction, reconstruction, remodeling, repairing or maintenance of such real estate when the contract was entered into on or after March 7, 1956 but prior to [the date of enactment of this amendment] April 15, 1959 between the person who would otherwise be subject to the tax and a municipal authority incorporated under the "municipal authorities act of 1945" shall be exempt from the additional one-half of one per cent of tax imposed by section 201 of this act as amended [hereby] April 15, 1959 (P. L. 20) and from the additional one-half of one per cent of tax imposed by section 201 of this act as amended hereby provided however that the exemption granted by this subsection shall not be claimed by the purchaser from any vendor but shall be claimed only by the filing of a refund petition with the department as provided by section 552 of this act.

Section 14 section 203 of the act amended April 15, 1959 (P. L. 20) is amended by adding at the end thereof a new clause to read:

Section 203 exclusions from tax the tax imposed by section 201 shall not be imposed upon.

\* \* \*

(O.2) The sale at retail or use of materials to be incorporated into and made a part of real estate pursuant to a contract for the construction, reconstruction, remodeling, repairing or maintenance of such real estate when the contract was entered into on or after April 15, 1959 but prior to the effective date of this amendment between the person who would otherwise be subject to the tax and a municipal authority incorporated under the "municipality authorities act of 1945" shall be exempt from the additional one-half of one per cent of tax imposed by section 201 of this act as amended hereby provided however that the exemption granted by this subsection shall not be claimed by the purchaser from any vendor but shall be claimed only by the filing of a refund petition with the department as provided by section 552 of this act.

Section 15 section 204 of the act amended April 15, 1959 (P. L. 20) is amended to read:

Section 204 alternate imposition of tax if any person brings tangible personal property purchased for use outside the commonwealth into the commonwealth for use (other than complete consumption) therein for a period not to exceed six months such person may upon notice to the department within ten days of the commencement of use of such property within the commonwealth elect to pay a tax upon the use of such property equal to [three and one-half per cent (3½%)] four per cent (4%) of the fair rental value of such property for the actual period of use if such use does not exceed six months



should such property be completely consumed within the Commonwealth or remain therein for longer than six months the taxpayer shall be liable for a tax upon the use of such property according to section 201 (B) of this act but shall be allowed a credit equal to seventy per cent (70%) of the tax paid pursuant to the election provided for in this section such election may not be made with respect to any tangible property purchased or used in a state having a tax similar to that imposed by this act which does not grant either.

(A) A similar election with respect to tangible personal property upon the sale or use of which tax has been paid under the provisions of this act or.

(B) Tax relief substantially similar to that granted by section 205 of this act.

Section 16 The act is amended by adding after section 549 a new section to read:

Section 549.1 Prepayment of tax whenever a vendor is forbidden by law or governmental regulation to charge and collect the purchase price in advance of or at the time of delivery the vendor shall prepay the tax as required by section 531 of this act but in such case if the purchaser shall fail to pay to the vendor the total amount of the purchase price and the tax and such amount is written off as uncollectible by the vendor the vendor shall not be liable for such tax and shall be entitled to a credit or refund of such tax paid if the purchase price is thereafter collected in whole or in part the amount collected shall be first applied to the payment of the entire tax portion of the bill and shall be remitted to the department by the vendor with the first return filed after such collection for any tax prepaid prior to the effective date of this amendment credit may be claimed on any returns filed for the periods prior to the effective date of this amendment tax prepaid after the effective date of this amendment shall be subject to refund upon petition to the department under the provisions of section 552 of this act filed within one hundred five days of the close of the fiscal year in which such accounts are written off.

Section 17 subsection (D) of section 553 of the act amended July 8, 1957 (P. L. 584) is amended to read:

Section 553 refund petition \* \* \*

(D) Notwithstanding any other provision of this section where any tax interest or penalty has been paid under a provision of this act subsequently held by final judgment of a court of competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous a petition for refund may be filed either before or subsequent to final judgment but such petition must be filed within five years of the date of the payment of which a refund is requested the department shall have jurisdiction to hear and determine any such petition filed prior to such final judgment only if at the time of filing of the petition proceedings are pending in a court of competent jurisdiction wherein the claim of unconstitutionality or erroneous interpretation made in the petition for refund may be established and in such case the department shall not take final action upon the petition for refund until the judgment determining the question involved in such petition has become final.

Amend page 39, line 6, by striking out after the word "section" the figures "10" and inserting in lieu thereof the figures "18."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, House Bill No. 1285, Printer's No. 1367. We are here today to discuss and concur in the amendments placed in the bill by the Senate.

The original bill and a portion of the amendments placed in the bill by the Senate are amendments that at no time offer any resistance or ill feeling for placing a portion of those amendments in the bill. This particular tax bill was greatly the result of a bipartisan tax com-

mittee of this House in which tax measures must originate.

The amendments to the bill and the readjusted revenue yield of the bill from the amendments that we are to concur in this afternoon are amendments that some may disagree and some may agree with, but, the bill itself, with the amendments concurred in, becomes a package of—in this one particular piece of legislation—a major addition to our tax structure in the Commonwealth in which we, the Legislative Representatives, along with the Senate, owe responsibility to our people whom we are representing to provide the revenue to operate the Commonwealth.

It is difficult, at times, to vote on amendments, or it is difficult to vote on an original tax proposal, but this afternoon we are here to seek concurrence in the amendments placed in this bill by the Senate.

We have had many long and tedious days and hours in a series of conferences, of negotiations and meetings, not always meeting in mind, but basically agreeing that we owe this responsibility to act justly and wisely, to act on a bill by which concurrence will insure its passage to provide this yield of revenue for the General Fund.

There are so many things that are easy to exempt, and so many things that each of us would like to exempt, that it would be, of course, almost impossible to secure the yield of revenue that would produce the money needed to operate the Commonwealth and provide the services that the people themselves cannot provide and the state must provide.

I did not think that at any time some of the amendments placed in the bill by the Senate would meet with any objection. For example, the amendments of the charitable, religious and educational institutions, exempting certain features within the Sales and Use Tax, for we are no more than human, for the needs of our hospitals and our schools, in trying to provide money for them to operate, and at the same time trying to find a way to exempt them from certain Sales Tax payments which are most helpful in the operations of those institutions and schools.

Some of the basic things in most of these have been discussed very thoroughly, and one of the items that the record can indicate clearly is that following concurrence in the Senate amendments we will have before the House and the Senate a piece of legislation which deals with the procedural items now on the House calendar. This, in itself, becomes an important piece of legislation following the concurrence in the Senate amendments to House Bill 1285.

There are some amendments that were placed in the bill that some of the Members on my side of the House find reason to object to, but also to encompass the entire bill as a package and concurring in these amendments, it is many times an avenue by which you would like to help others, you know that it is impossible, and which you know must place tax burdens on various groups of people, segments of our populations, and in doing that very thing must take the overall picture of the bill in conjunction with the amendments and make your decision according to the wishes of the office to which you were elected to fulfill that responsibility. One of our basic, major responsibilities as Representatives in this Commonwealth in the General Assembly, is the obligation that we owe to operate the Commonwealth, to pro-



vide the revenue for that operation, to vote and enact tax measures to do that very thing so that those services may be provided that the state must provide and which are demanded of the Commonwealth by our people.

Mr. Speaker, I request every Member of this House to concur in the amendments placed in House Bill 1285 by the Senate and to enact its adoption today, so that the Governor of this Commonwealth may sign this proposal today. Each week that we have delayed has cost us tremendous amounts of revenue, and each week that we delay from this point is just that much more that we must face in the total problem of financing the needs of our people through the taxes that operate the Commonwealth, and operate the services that they demand.

I can only plead and request, I can only ask. I was interrogated prior to the passage of this bill, and I am sure all of the Members of this House know from the prior interrogation that upon our concurrence of these amendments today the Governor of our Commonwealth will sign this legislative tax proposal into law.

I hope we can agree on many other points at other times; that we can fulfill our obligations as we have attempted to do on occasions in the past, and certainly must do in the future. Each of us has had to give and take, and that is true of this bill as it originally was voted on in the House. We certainly must give and take in voting to concur in the amendments placed in the bill by the Senate.

We are at a crossroads in this Session, a crossroads of importance to complete a major portion of the tax structure. This, without a doubt, without a question of doubt, is a major piece of tax legislation which will be placed on the books in a few hours in this Commonwealth.

I think it is fair to say that I hope the problems we have tried to face in these amendments to this bill will be beneficial to our Commonwealth and our people, that in the end it will produce results in making this Commonwealth of ours a better place for that segment of industry, for our working people, and all of the people who so rightfully deserve our help in the support of our educational institutions and our hospitals and our homes.

Mr. Speaker, I hope every Member will vote to concur in the amendments to this bill.

Mr. WORLEY. Mr. Speaker, we should vote down this four percent sales tax concurrence and stop the growth of this ever increasing "soak the poor" program. The average man and woman are already paying too much tax. So I say to you, let's put the millions instead of the millionaires in control of this state government, and vote against this four percent sales tax concurrence today.

Mr. KOVOLENKO. Mr. Speaker, I am an unemployed steelworker. I represent, in my district, working people. Many of the working people are on frozen incomes. Four percent of their expenditures as compared with the increased exemptions granted since the bill left this House amounts to thievery.

The history of the adoption of these recent amendments amounts to black legislation on the part of the Republican party. Why should the Representatives on this side of the House forget the principle of protecting the people?

I am voting no unless the Senate amendments are removed.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—112

Anderson,	Garlock,	Maxwell,	Royer,
Arlene,	Gelfand,	Meholchick,	Rudisill,
Balthaser,	Gramlich,	Mihm,	Sakulsky,
Boles,	Hamilton,	Mills,	Scarcell,
Bonner,	Heavey,	Monroe,	Schaaf,
Bowman,	Hocker,	Muldowney,	Schuster,
Branca,	Holt,	Mullen,	Schwartz,
Breth,	Irvia,	Munley,	Sherman,
Burns,	Jenkins,	Murphy, A. J., Jr.,	Shupnik,
Capitolo,	Jim,	Murray, J. J.,	Silverman,
Cianfrani,	Johnson, A. W.,	Musto,	Snider,
Cioffi,	Jones, F. R.,	Naugle,	Steckel,
Clarke,	Kamyk,	Needham,	Stevens,
Comer,	Knecht,	Nelson,	Stimmel,
Crossin,	Kornick,	O'Donnell, J. A.,	Stone,
Curwood,	Korns,	O'Donnell, J. P.,	Taylor,
Dennis,	Lamb,	Parlante,	Tompkins,
Devlin,	Leonard,	Pashley,	Trusilo,
Dougherty,	Limper,	Perry, H. H.,	Varallo,
Down,	Lopresti,	Perry, P. E.,	Verona,
Ellberg,	Lutty,	Petrosky,	Walsh,
Farabaugh,	McCann,	Polaski,	Wargo,
Filo,	McCormack,	Polen,	Wheeler,
Fineman,	McDonald,	Prendergast,	Wood,
Floyd,	McInroy,	Reibman,	Yatron,
Foerster,	McLaughlin,	Reidenbach,	Yetter,
Frank,	Machmer,	Riley,	Andrews,
Frascella,	Markley,	Rovansek,	Speaker
Gallagher,			

## NAYS—69

Ashton,	Goldstein,	Luigard,	Seltzer,
Blair,	Holliday,	McCandless,	Stank,
Boris,	Horst,	Magee,	Stewart,
Brenninger,	Isaacs,	Mahan,	Stoner,
Capano,	Johnson, R.,	Merry,	Stroup,
Davis,	Jump,	Miller, B. Z.,	Varnar,
Dengler,	Kee,	Miller, H. G.,	Wall,
Dennison,	Kelser,	Murphy, P. J.,	Weidner,
Donahue,	Kernaghan,	Murray, H. P.,	Welsh,
Edwards,	Kessler,	O'Dell,	Williams, A. D., Jr.,
Eshback,	Kooker,	Odorisio,	Williams, E. S.,
Eshleman,	Kovolenko,	Ogilvie,	Willard,
Fetterolf,	Kubitsky,	O'Neill,	Willaredt,
Flynn,	Lee, A. M.,	Price,	Wilt,
Fulmer,	Lee, K. B.,	Pursley,	Worley,
Galley,	Light,	Renwick,	Wynd,
George,	Lippincott,	Rigby,	Zimmerman,
Gibb,			

## NOT VOTING—27

Agnew,	Cooper,	Helim,	Strausser,
Auker,	Donaldson,	Henzel,	Sullivan,
Barton,	Ewing,	Jones, T. H. W.,	Thompson,
Bell,	Fox,	McKeever,	Ujobai,
Bower,	Goodrich,	Moran,	Wescott,
Brown,	Guthrie,	Murray, P. G.,	Whittaker,
Buchanan,	Heffner,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## REASON FOR VOTE

Mr. J. P. O'DONNELL filed the following reasons for his vote on House Bill No. 1285:

Although I voted for House Bill No. 1285, I did it because the Administration had to have the money in taxes.

I am against it in principle as it exempts "Big Business" and taxes the "Poor People."

## BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1285.

An Act amending the act of March 6 1956 (P L 1228) entitled as amended "Selective Sales and Use Tax Act" defin-

ing or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services providing certain exemptions providing for uncollectible accounts adding provisions concerning refunds increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to announce that the House will be in Session three days next week,

three full, heavy working days. We will have the general appropriation bill on the calendar. Caucus at 2:30; there will be no notice go out in the mail.

Mr. McCANN. Mr. Speaker, there are some men waiting to catch that plane. May you catch it, and good luck to you.

#### ADJOURNMENT

Mr. POLEN. Mr. Speaker, I move that this House do now adjourn until Monday, August 24, 1959 at 3:30 p.m., E.S.T.

The motion was agreed to, and (at 1:45 p.m., E.S.T.) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, AUGUST 24, 1959.

No. 83.

## SENATE

MONDAY, AUGUST 24, 1959

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. IRVIN F. WOODROW, Pastor of The Church of Christ, Somerset, offered the following prayer:

Let us pray.

Almighty God, the Father of our Lord, Jesus Christ, in this age when we hear so many voices telling us, "This is the right thing to do," help us turn unto Thee and inquire as to what Thou wouldst have us do.

Many have put their trust in men who have gone the way of all flesh, and they were unable to help those who trusted in them any longer. But Thou, O God, are able to help men throughout all ages, for Thou are from everlasting to everlasting.

We pray for the Members of this Senate and ask that Thou wilt invoke upon them Thy richest blessings, so that they may have all necessary wisdom to meet with all of the many problems coming before them.

Help them to better understand the people they represent, so that they may better know the needs of such people. In knowing of such needs, help them to stand for that which is right in Thy sight, for we ask it in Jesus' Name. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

### MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Sam M. Jacobs, 9 East Front Street, Danville, Montour County

Leo S. Dennen, R. D. 1, Turbotville, Northumberland County.

DAVID L. LAWRENCE.

### MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wyndham Reed Whitley (Republican) 807 Bancroft Road, Erie, Erie County, for appointment as a member of the Erie County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rabbi Randall M. Falk, Erie, whose term expired.

DAVID L. LAWRENCE.

### MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Naomi Worrlow England (Republican), Mt. Vernon Street, Oxford, Chester County, for appointment as a member of the Chester County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Louise Atherton Dickey, Oxford, deceased.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Molish, Box 128, Daisytown, Washington County, for appointment as Justice of the Peace in and for the Township of West Pike Run, Washington County, to serve until the first Monday of January 1960, vice Alexander Konick, resigned.

DAVID L. LAWRENCE.



## COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, Pa., August 24, 1959.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

It is now my duty to recommend amendments to the Pennsylvania Unemployment Compensation Law to the General Assembly.

In this connection I think an understanding of the need for legislative action can best be acquired by reviewing briefly the broad financial and historical aspect of the program.

During the national recession of 1958, the Pennsylvania Unemployment Compensation Fund paid out \$385 million to more than 900,000 Pennsylvania claimants. This was money well invested; undoubtedly it helped tide many over the severe hardships which afflict families when the wage earners are not working. It sustained our economy in every town and county of the State. There is no one who can rightfully say that this program is not tried and proven necessary to the well-being of us all.

The expenditures for the year 1958, however, greatly exceeded the income of \$166 million and as a result, through a provision of the law enacted by the Assembly in 1955, the tax rate for all employers rose to 2.7 percent for the year 1959. During 1959 it is estimated income will be in the neighborhood of \$220 million, with expenditures somewhat less than \$250 million. At year-end 1959, the balance in the Fund will be about \$100 million. Estimated income for 1960 under the present law will be about \$230-240 million with expenditures in a somewhat lower range. It is clear, then, that the Fund is now almost on a pay-as-you-go basis, but this is not satisfactory. In years of relative prosperity we must put aside reserves for the lean years sure to come, when unemployment rates soar as a result of adverse national economic conditions.

Although the recent national recession was responsible for the heavy drain from the Fund in 1958, there has existed for long years an underlying need to establish a sounder relationship between Fund income and expenditures. In eight of the last ten years outgo has exceeded income. As a result, on November 1, 1948, the Fund held \$630 million; by January 30, 1955, the reserve had dropped to \$374 million, and after the 1958 recession, it sank further to \$98 million by January 30, 1959. During the spring of this year it reached its low point of \$43.2 million.

The situation called for emergency action. With exemplary speed this General Assembly passed legislation authorizing the Commonwealth to borrow up to \$112 million of interest-free money from the federal government. This provides a safe margin assuring continued payment of benefits until we have an opportunity to act.

At about the same time, the State Senate passed a resolution calling upon the Governor to appoint a non-partisan committee of Pennsylvania citizens to study the situation, identify the problems, and suggest action for putting the program on a sound basis. How heartening it is to note that both Legislative Chambers, in dealing with unemployment compensation, have been completely free of partisanship. How right and how proper it is that partisanship be excluded from decisions regarding unemployment and its attendant hardships!

It was against this background that I called upon fifteen able and well-informed citizens of Pennsylvania to assist the Commonwealth in finding solutions to the numerous and complex problems associated with the unemployment compensation program. They were men chosen equally from Management, Labor, and the fields of public endeavor. Under the chairmanship of Dr. James Creese, President of Drexel Institute of Technology, they courageously and laboriously addressed themselves to the almost impossible task of compiling recommendations that would solve the problems at hand and, at the same time, satisfy

all interested parties. They deserve the high praise and gratitude of our people for their hard work, and the results of their endeavors have been placed on the desk of each Member of the Assembly.

Before outlining specific recommendations, many of them based on the deliberations of this worthy Citizens Committee, I should like to make several statements which may serve to clarify our perspective:

1. During the last decade, Pennsylvania has had more areas of economic distress than any State in the Union, as you know. At least a dozen are classified by the national government as chronic. They have been in this condition since the 1940's and this Assembly knows what actions we are taking and what actions we are asking the federal government to take, to cure these long-standing ills. Until the happy day comes when we have substantially diminished or completely eliminated these conditions, we in Pennsylvania will be troubled with an above-average unemployment ratio which calls for an above-average unemployment compensation program with taxes to support this need.

2. Despite the hard and thorny truths of the above statements, Pennsylvania benefit costs have not been out of line with other large industrial states. During the ten years ended 1958, Pennsylvania paid out an average of 2.1 percent of taxable wages in benefits. Our neighboring State of New York also paid out 2.1 percent, and New Jersey 2.3 percent. There are states which paid benefits at a lower rate, but if you make a statistical adjustment to compensate for our higher unemployment rate you will find that the Pennsylvania benefits costs, financially, have not been excessive.

3. Pennsylvania's tax rates during the last ten years have not been as high as those of several industrial states. Indeed, for the ten years ended 1958, New York State collected taxes at the average rate of 2.0 percent, while we were collecting 1.4 percent. It is worthy to note that had we employed their tax rates we now would have in our Fund \$500 million and no problem in this field. But this is wisdom after the event. Undoubtedly the inadequate tax measures of the late forties had much sincere support and it is more important to realize where we are than to review what might have been.

To return to the Committee's report, which has been carefully studied; I have given the viewpoints expressed therein much consideration. So impressed am I with the valuable information and beneficial viewpoints resulting from citizen participation in this program, that I plan to revive the State Advisory Council which is already provided for in our Unemployment Compensation Law, adding to it the legislative members of the Governor's Committee who served so well. We must have a continuous review of this great program, so that this office and the Legislature regularly may know the effects of the Law on our economy.

I accept all the unanimous recommendations of the Committee and recommend their adoption by the Legislature. These are:

1. To make every effort to rebuild the Fund to \$300 million by the end of 1962.

2. To bar benefits to students when based on summer vacation work, or work performed as a part of the curriculum of a cooperative institute or college.

3. To reduce waiting weeks for maritime workers from three to one, bringing them in line with other covered workers.

4. To correct a long-time inequity in the Law, which has prevented payment of benefits for several days in the case of certain claimants at the end or beginning of the benefit year, and

5. To allow eligibility to persons self-employed in a sideline farm or business who become unemployed in their major employment occupation.

The prevailing view of the Committee calls for the restoration of experience rating, beginning January 1, 1960. I am submitting a proposal which accomplishes this objective by establishing a schedule of rates between 1.6 percent and 4.0 percent through 1962. This means that 40,000 to 45,000 employers whose employment turnover



has been of low cost to the Fund will receive substantial rate reductions, beginning 1960, from the 2.7 percent uniform rate in effect this year. This schedule establishes a more direct relationship between an employer's tax rate and the cost of his turnover to the Fund. One of the reasons the Fund was depleted was that the maximum of 2.7 percent paid by many employers did not cover the cost of their labor turnover to the Fund. Therefore, Pennsylvania must, I regret to say, raise the maximum rate for such employers. Employer contributions, generally, must correspond to their cost experience to the Fund.

One of the desirable features of this plan is that it provides an additional incentive to employers to stabilize their employment and thus earn a lower tax rate. I think it is a just insurance principle that lower costs reflect themselves in lower rates.

I am happy to say that new industries coming into Pennsylvania which show a good experience with the Fund will be eligible for reduced rates after eighteen months.

It is estimated that this proposed plan will raise \$280 to \$290 million per full year, as compared to \$230 to \$240 million on the uniform 2.7 percent. The additional revenue is raised primarily by the introduction of a Fund rebuilding factor averaging 0.7 percent to produce \$60 million. This will be dropped when the Fund exceeds \$300 million. The Governor's Committee recommended that the target date for reaching the \$300 million Fund level should be December 31, 1962, and it is to be anticipated that barring unforeseen dips in business, this goal can be met.

Attached to this message is an exhibit showing seventeen states which now have a maximum rate exceeding the 2.7 percent which has been traditional for Pennsylvania. The 1954 and the 1957-58 recessions have caused these states to raise their maximum rate and now it is Pennsylvania's turn. In Delaware the maximum rate has been set at 4.5 percent on \$3,600 for the next two years. This is equivalent to 5.1 percent on a \$3,000 tax base such as we use in Pennsylvania. Illinois goes to a maximum of 4.0 percent in 1960, Michigan is now at 4.5 percent maximum and California's maximum is 3.0 percent on \$3,600 or equivalent to 3.5 percent on \$3,000.

The submitted experience rating program is sound, and is a revision of the one currently in the law. There are other proposals, supported by employer groups, to amend the present formula and designed to overcome the glaring deficiencies which have developed. While I believe that the submitted proposal is superior, from the standpoint of actuarial soundness and equity, my position is that this is a decision for the Legislature. Any amendments which will restore experience rating in January 1960, and raise the necessary funds and treat employers equitably according to their experience with the Fund, will meet with my approval.

Now, as to benefits: As can be seen from the exhibit attached, many states have increased the weekly maximum benefit amount for claimants. In fact, more than 20 states now allow benefits above our \$35 maximum. For example, New York has a maximum of \$45 and California of \$55; Illinois, from \$32 to \$50 for those with dependents, Maryland, from \$35 to 43, and Connecticut from \$45 to \$67. The Committee members generally agreed that the level of weekly amounts should be such that the majority of claimants would receive approximately 50 percent of their full-time gross weekly wage, although disagreeing as to the manner and timing of reaching this objective. This recommendation follows the frequently expressed views of President Eisenhower and Secretary Mitchell on this point.

I regret that the financial condition of the Fund will not permit meeting this standard at this time. However, we must make a start in this direction and I therefore recommend that we move gradually toward this goal by raising the weekly benefit amount to \$38 on January 1, 1960, \$40 on July 1, 1960, and \$42 on January 1, 1961.

I recommend that the present allowance of earnings from part-time or casual employment should be changed from the flat \$6 per week to 30 percent of the weekly benefit amount, but not less than \$6. This will encourage the seeking and taking of part-time employment by unemployed claimants, thus tending to relieve the Fund.

The Committee considered many proposals for corrective measures. After reading the Committee's report, I believe that women who quit work on account of pregnancy should be ineligible for benefits; those laid off because of pregnancy, but able and valuable for work, limited in eligibility to the first six months; pregnant women laid off due to lack of work should be eligible up to the eighth month.

I also ask that eligibility for those who leave employment for a compelling and necessitous cause should be continued, if the claimant is able and available for work. However, such eligibility should not be continued for wives or husbands who voluntarily leave employment to accompany their spouse to a different area unless such person is the sole or major support of the family.

A number of proposals have been and will be made to you, that persons who are unwillingly retired as pensioners, although they wish and need to continue in employment, should be denied or given reduced benefit payments. Most emphatically I oppose any universal application of this principle. The older worker should not be treated differently than a younger person who is involuntarily terminated. In too many areas we already see the doors of employment closed to older workers who are able to do a good and useful job and I feel that this Legislature does not want to discriminate against the worker with regard to his unemployment compensation rights, merely because he has reached a certain age. In this field, the only change I recommend is one which will generally exclude those receiving high-bracket pensions from collecting unemployment compensation unless based entirely on a new work record.

I recommend to the Legislature that it revise eligibility requirements for those earning less than \$600 in their base year, in accordance with certain provisions described in an analysis also forwarded to the Legislature. Generally, this means that those whose attachment to the labor market is casual, temporary or seasonal may not be eligible for the benefits available to those firmly in the labor market.

Much has been said about limiting the eligibility of all claimants to one year, unless the second year is preceded by new employment. I am opposed to this. Pennsylvania is a state which has suffered from chronic as well as protracted unemployment. Such a measure would fall with crushing force on many of our depressed areas and I do not think the people of this state would wish to remove this help from their neighbors. Nor is this a problem for certain areas alone. In the last two years we have seen prosperous and bustling industries returning to high employment and production without taking back tens of thousands of workers, leaving them unemployed continuously since late 1957. These people are unemployed because of automation, plant renovation and improved industrial technologies. Unfortunately then, and many others like them, have been and will be unemployed through no fault of their own for long periods of time. We must not change provisions in the Pennsylvania Law, imbedded since 1938, in order to disqualify such people.

These, in general, are the proposals which I submit to the Assembly. They are not generous, nor are they harsh. They are not the kind of proposal which I would submit if the Fund stood at \$600 million as it did in years past; but we must face realities. The Assembly and this Administration must accept facts as they are and these facts dictate the proposed measures. As we grapple with these problems and manfully do our duty, I feel sure that the people of this Commonwealth will say, "This is the Legislature acting in its best tradition."

DAVID L. LAWRENCE



TABLE OF SELECTED STATES SHOWING  
BENEFIT AMOUNTS AND MAXIMUM ALLOWABLE  
UC TAX RATES HIGHER THAN 2.7

State	Amount of Weekly Benefit  (Note: Where 2 figures are given, higher figure includes dependents' allowances.)	Benefits In- creased During 1959	Maximum Al- lowable UC Tax Rate (Percent)
PENNSYLVANIA	\$35		2.7 for all employers during 1959
Alaska	45-70		..
California	55	x	3.0 (3.5) <sup>a</sup>
Colorado	42-55 <sup>b</sup>	x	..
Connecticut	45-67	x	..
Delaware	40		4.5 (5.1) <sup>ac</sup>
Idaho	40		..
Illinois	32-50	x	4.0
Indiana	36	x	..
Iowa	30-44	x	..
Kansas	40	x	..
Kentucky	34		4.5
Maryland	35-43		3.7
Massachusetts	35-plus dependency		3.3
Michigan	30-55		4.5
Minnesota	38		3.0
Missouri	33		3.5 <sup>d</sup>
New Hampshire	38	x	..
New Jersey	35		3.6
New York	45		3.0 <sup>e</sup>
North Carolina	32		3.7
Ohio	42-53	x	3.2
Oregon	40		..
Rhode Island	36-44		2.7 (3.1) <sup>a</sup>
Tennessee	32	x	3.0 <sup>f</sup>
Texas	28		3.3
Utah	40		..
Washington	42	x	..
Wisconsin	41 <sup>g</sup>	x	4.0
Wyoming	44-50		..

<sup>a</sup> Tax base is \$3,600. Rate shown in ( ) is adjusted to \$3,000 tax base.

<sup>b</sup> Worked for covered Colorado employment for 5 years with earnings in excess of \$1,000/yr. and no benefits received.

<sup>c</sup> Limited to 2 years.

<sup>d</sup> Effective 1960 rates can increase .3% each year to a maximum of 4.5 for deficit balance employers.

<sup>e</sup> Maximum of 3.2 in 1960. Could go to 4.2 under certain conditions.

<sup>f</sup> Effective 7/1/60, 3.3; 7/1/61, 3.5; 7/1/62, 4.0.

<sup>g</sup> Effective 1/1/60—52½% of statewide average weekly wage.

The PRESIDENT. Copies of this communication have been placed on the desks of all the Senators.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILL No. 38

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 38, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing appropriations for handling storage and distribution of surplus foods.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 41.

He also returned to the Senate, Senate Bill No. 41, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," authorizing appropriations for handling, storage and distribution of surplus foods.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 148

He also returned to the Senate, Senate Bill No. 148, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," removing the limitation on appropriations which may be made for agricultural extension work.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 637

He also returned to the Senate, Senate Bill No. 637, entitled:

An Act amending the act of August 9, 1955 (P. L. 823), entitled "The County Code," increasing the amount the commissioners may spend in contracts without written bids.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 683

He also returned to the Senate, Senate Bill No. 683, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "Insurance Company Law of 1921," further regulating proceedings to merge and consolidate mutual insurance companies.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 772

He also returned to the Senate, Senate Bill No. 772, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code," increasing the limitations on appropriations which may be made for agricultural extension work.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 811

He also returned to the Senate, Senate Bill No. 811, entitled:

An Act amending the act of March 10, 1949 (P. L. 80), entitled "Public School Code of 1949," providing for the membership of county board of school directors

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 833

He also returned to the Senate, Senate Bill No. 833, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the selection of supervising principals of joint organizations of school districts.

with the information that the House has passed the same without amendments.

## SENATE BILL No. 36 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 36, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," further regulating the investment of borough funds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## SENATE BILL No. 935 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## AMENDMENT TO HOUSE BILL No. 1427, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1427, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), permitting council to request that a certified check accompany bids for contracts.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1173, entitled:

An Act providing for the continuity of the General Assembly in the event of an attack by an enemy of the United States.

Which was committed to the Committee on State Government.

House Bill No. 1175, entitled:

An Act providing, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the Commonwealth and the government of political subdivisions of the Commonwealth by providing for an additional officer to act as Governor; providing for emergency interim succession to other executive offices of the Commonwealth and its political subdivision providing for special emergency judges; and authorizing political subdivisions to enact resolutions and ordinances relating to the subject.

Which was committed to the Committee on State Government.

House Bill No. 1675, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), authorizing the erection of "yield right-of-way" signs, describing the duties of operators thereat, prohibiting the designation of 4-way stop and other multiway stop intersections, and providing a penalty for the violation thereof.

Which was committed to the Committee on Highways.

House Bill No. 1701, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), providing that the commission fix the periods for shooting on regulated shooting grounds.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1729, entitled:

An Act amending the act of July 29, 1953 (P. L. 1440), entitled "An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents; providing for the acquisition of land; providing for the reception, confinement, treatment, care, maintenance and control of inmates; imposing duties and conferring powers on the Department of Justice, Department of Property and Supplies and the General State Authority, designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1733, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) redefining Antique Motor Vehicle and Motorcycle; limiting the use of the transcript and the record of a suspension hearing; extending the provisions relating to uncollectible checks; . . .

Which was committed to the Committee on Highways.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

## MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the



Board of Trustees of Locust Mountain State Hospital, from June 21, 1957, for the term of four years and until their successors are appointed and qualified:

Israel D. Gray, Frackville, Schuylkill County.  
James Scott, Pottsville, Schuylkill County.  
Victor John Bindie, Shenandoah, Schuylkill County.  
Raymond Troy, Gordon, Schuylkill County.  
Joseph V. Navitsky, Shenandoah, Schuylkill County.  
Peter J. Chaplinsky, Shenandoah, Schuylkill County.  
Joseph T. Kershetsky, Mahanoy City, Schuylkill County.  
Stephen John Engle, Mahanoy City, Schuylkill County.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Coaldale State Hospital, from June 21, 1957, for the term of four years, and until their successors are appointed and qualified:

James Berrang, New Philadelphia, Schuylkill County.  
Joseph F. Holden, St. Clair, Schuylkill County.  
James J. Donahue, Mahanoy City, Schuylkill County.  
Joseph A. Hughes, Pottsville, Schuylkill County.  
John J. Eagan, Pottsville, Schuylkill County.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank A. Thornton, 103 East Arch Street, Shamokin, Northumberland County, for reappointment as member of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice Abrams, Wyncote, Montgomery County, for appointment as a member of the Unemployment Compensation Board of Review, from June 21, 1957, until July 1, 1961, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Urbani, Wynnewood, Montgomery County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, from June 24, 1958, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Stevenson, P. O. 201 Sylvania Avenue, Rockledge, Philadelphia 11, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Rockledge, Montgomery County, to serve until the first Monday of January 1960, vice Mrs. Marie H. Carter, resigned.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James P. Boyle, 138 Tennis Avenue, Ambler, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Ambler, Montgomery County, until the first Monday of January 1960, vice Charles M. Norrett, deceased.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

R. W. Cook, Jr., 1511 North Second Street, Harrisburg, Dauphin County, vice Dr. Medill Bair, Morrisville.

Lloyd G. Cole, Blossburg, Tioga County. (Reappointment)

DAVID L. LAWRENCE.

#### BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 1105, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled, as amended, "Selective Sales and Use Tax Act," imposing the tax on liquor and malt and brewed beverages when sold for any purpose other than for resale.

Which was committed to the Committee on Finance.

Messrs. SHAFER and KELLER read in place and presented to the Chair Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," changing the limit on retail licenses.

Which was committed to the Committee on Law and Order.

#### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

#### EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. SCOTT, That the Senate do now resolve itself into Executive

Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF  
LOCUST MOUNTAIN STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of trustees of Locust Mountain State Hospital, from June 21, 1957, for the term of four years and until their successors are appointed and qualified:

Israel D. Gray, Frackville, Schuylkill County.  
James Scott, Pottsville, Schuylkill County.  
Victor John Bindie, Shenandoah, Schuylkill County.  
Raymond Troy, Gordon, Schuylkill County.  
Joseph V. Navitsky, Shenandoah, Schuylkill County.  
Peter J. Chaplinsky, Shenandoah, Schuylkill County.  
Joseph T. Kershetsky, Mahanoy City, Schuylkill County.  
Stephen John Engle, Mahanoy City, Schuylkill County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
COALDALE STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Coaldale State Hospital, from June 21, 1957, for the term of four years, and until their successors are appointed and qualified:

James Berrang, New Philadelphia, Schuylkill County.  
Joseph F. Holden, St. Clair, Schuylkill County.  
James J. Donahue, Mahanoy City, Schuylkill County.  
Joseph A. Hughes, Pottsville, Schuylkill County.  
John J. Eagan, Pottsville, Schuylkill County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
BLOOMSBURG STATE TEACHERS' COLLEGE

August 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank A. Thornton, 103 East Arch Street, Shamokin, Northumberland County, for reappointment as a member of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT  
COMPENSATION BOARD OF REVIEW

July 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice Abrams, Wyncote, Montgomery County, for appointment as a member of the Unemployment Compensation Board of Review, from June 21, 1957, until July 1, 1961, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
WEST CHESTER STATE TEACHERS' COLLEGE

July 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert M. Urbani, Wynnewood, Montgomery County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, from June 24, 1958, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Stevenson, P. O. 201 Sylvania Avenue, Rockledge, Philadelphia 11, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Rockledge, Montgomery County, to serve until the first Monday of January 1960, vice Mrs. Marie H. Carter, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James P. Boyle, 138 Tennis Avenue, Ambler, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Ambler, Montgomery County, until the first Monday of January 1960, vice Charles M. Norrett, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
MANSFIELD STATE TEACHERS' COLLEGE

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

R. W. Cook, Jr., 1511 North Second Street, Harrisburg, Dauphin County, vice Dr. Medill Bair, Morrisville.  
Lloyd G. Cole, Blossburg, Tioga County. (Reappointment)

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. SCOTT, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson.
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant.
Confair,	Kromer,	Ripp,	Wade,



DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. SCOTT. Mr. President, I second the motion.  
The motion was agreed to.

## CALENDAR

REVENUE BILLS ON THIRD READING  
OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1387;  
House Bill No. 661, Printer's No. 1369; and  
House Bill No. 662, Printer's No. 1370.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1, entitled:

An Act amending the act of June 11, 1947 (P. L. 565) entitled "World War II Veterans' Compensation Act" extending the time during which applications may be filed for veterans' compensation and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 283, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" providing for special elections in case of tie votes in certain county-wide elections.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would like to make this observation on this piece of legislation, and I think careful consideration should be given to it. The purpose that is trying to be accomplished by this kind of legislation is a good one, and probably would help out in a situation where you did have a tie vote. However, I think there should be some consideration given to the amount of money it would cost to have a new election within thirty days after you ended up with a tie vote.

I am not so sure that the matter of opening a page of a book, drawing straws or tossing a coin is not equally as good and, I think, a little less wearing on the taxpayer. If the people in a community have seen fit, in a county-wide election, to give both of these people an equal number of votes, it must be that both of them are men of some regard. It means that the people in the community have indicated that regard by deciding on neither one of them. Therefore, I think that if either one of them were to be elected to the office, either by the toss of a coin or by the turning of a page or by drawing straws, very little would be lost because they have already indicated, by their vote, that they both stand in rather high esteem. I think to hold a new election would be rather expensive. I think it would be costly from the point of view, not only as to money, but as to the time involved. You would perhaps have a hiatus in this office for a period of time, especially if someone had died and someone was running for this particular office whom you are trying to elect to take his place.

In that regard, Mr. President, I would ask my colleagues to vote "no" on this legislation because of the expense involved.

Mr. BERGER. Mr. President, I am inclined to disagree somewhat with Senator Weiner on his attitude toward this bill for the reason that this bill is the result of a tie election for the very important and high office of Judge, in the county of Bradford. The issue was decided, after many appeals and so forth to the Court of Common Pleas and the Supreme Court, by the turning of a page of a book. It was felt, in discussion with Senator Madigan, that this was a rather casual way to decide such an important issue and that concerning the two candidates, who received an equal number of votes after the elimination of all those who could conceivably be objectionable, the people then should have the right to decide between the two candidates as to which one they preferred to give a majority of their votes. We feel that this would be a more proper way for a high office of that character to

be disposed of, rather than by the trivial tossing of a coin or the turning of a page of a book, or how many fingers do I have up. After all, it is a long term office and one which is the highest office in any county in the Commonwealth.

Therefore, Mr. President, I believe this legislation should be favorably voted upon by all the Members of the Senate.

Mr. WEINER. Mr. President, having no desire to prolong this discussion for a lengthy period of time, I can see some merit in what Senator Berger just said and I do not deny it. However, I would like to point out that if you only have two candidates for office, one from each Party, and each one receives a tie number of votes,—of course, probably, the rules of probability would more or less indicate or rule this situation—there is no absolute guarantee that the second time around you are going to get anything like a deciding vote. You may find yourself again in the same position where you will have to toss the coin or you will have to turn the page of a book. I do not know whether the rules of probability would indicate that it might happen twice. However, it could conceivably happen and you have now spent the taxpayers' money twice. Election is costly and I think, also, wearing on the people who help conduct elections, not to mention, in passing, the politicians who take part in them.

Mr. BERGER. Mr. President, possibly this might give rise to the realization of the ambition of many voters, to vote twice for the same candidate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

#### NAYS—22

Barr,	Lane,	Mullin,	Sarra,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 543, Printer's No. 579, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 875, entitled:

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind . . ." further regulating leases made to blind persons extending the authority of the State Council for the Blind to engage in business enterprises amending the rate of repayment of such advancements increasing the revolving fund and permitting the transfer to the revolving fund of moneys heretofore collected from the licensing of vending machines in state buildings.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 876, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" further regulating relations between the State Council for the Blind and organizations for the blind.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.



Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 941, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. Weiner. Mr. President, I have always taken the position here that I hate to act on behalf of counties without having heard from them. I have not heard from any of these counties. However, the problem which poses itself in my mind, as I go to vote on this measure, is, can the counties afford this increase that we are going to say to them they have to pay to people who now do these jobs in their different communities.

I admit the amount is very small, but the number of people who usually do this task is rather large compared to most other tasks in a county, because they deal with people who work on behalf of the elections. I am concerned that perhaps we are putting a burden on some of these communities which they cannot meet. I do not know the answer to that; I do not happen to live in those communities nor do I represent one in my District.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Barr,	Harney,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarrafi,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,

#### NAYS—2

Hays, Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 971, Printer's No. 1140; and

Senate Bill No. 972, Printer's No. 1141.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

#### AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1034, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the use of 1957 valuations in determining reimbursement fraction for the 1960-1961 school year.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SILVERT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SILVERT. Mr. President, after the amendments have been read, I should like to be recognized to speak on these amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, last two lines of Title, by striking out "requiring the use of 1957 valuations in deter-" in next to last line of Title, and all of last line of Title, and inserting: "providing for additional payments to certain school districts"; Amend Sec. 1 (Sec. 15), page 3, line 20, page 4, lines 1 to 14, by striking out all of said lines, and inserting: "For the school year 1959-1960, where a school district suffers a loss in total State subsidies under the aforementioned sections by virtue of increased market valuations as certified to the Superintendent of Public Instruction by the State Tax Equalization Board, the Commonwealth shall pay, during the school year 1960-1961, seventy-five per centum (75%) of such loss computed by subtracting the amount to which the school district is entitled under the aforementioned section from the amount to which the school district would be entitled on the basis of the market valuations certified to the Superintendent of Public Instruction by the State Tax Equalization Board in the year 1958. For the school year 1960-1961, where a school district suffers a loss in the total State subsidies under the aforementioned sections by virtue of increased market valuations, as certified to the Superintendent of Public Instruction by the State Tax Equalization Board, the Commonwealth shall pay, during the school year 1961-1962, fifty per centum (50%) of such loss computed by subtracting the amount to which the school district is entitled under the aforementioned sections from the amount to which the school district would be entitled on the basis of the market valuations certified to the Superintendent of Public Instruction by the State Tax Equalization Board in the year 1958; and for the school year 1961-1962, where a school district suffers a loss in total State subsidies under the aforementioned sections by virtue of increased market valuations as certified to the Superintendent of Public Instruction by the State Tax Equalization Board, the Commonwealth shall pay, during the school year 1962-1963, twenty-five per centum (25%) of such loss computed by subtracting the amount to which the school district is entitled under the aforementioned sections from the amount to which the school district would be entitled on the basis of the market valuations certified to the Superintendent



of Public Instruction by the State Tax Equalization Board in the year 1958."

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I am objecting to the amendments as read and offered by the gentleman. I understand he wishes to speak on them, to which I have no objection.

Mr. SILVERT. Mr. President, the Pennsylvania school subsidy is somewhat like the Einstein Theory of Relativity. More people talk about it than understand it.

Roughly, it provides for a maximum subsidy of \$5,800 per class unit. Then the State looks into the taxable property as fixed by the Tax Equalization Board per unit, and the more property in the school district, the greater the deduction from the \$5,800 per school unit. Speaking for Philadelphia, where I am more familiar with the situation, under the present formula, Philadelphia has taxable property, or had taxable property during 1957, in the sum of \$712,719 per class unit, and because of that taxable property, there was charged against the \$5,800 some \$3,118 per classroom, to be raised locally and the State contributed some \$2,682 per classroom unit.

Mr. President, the Tax Equalization Board, in its most recent study, stated that Philadelphia, as well as some 300 other school districts, does not have as much property per taxable unit, and they reduced the amount by some \$600,000. Because of that, Philadelphia will get a somewhat greater subsidy. I believe it amounts to something like \$1,200,000 for the year 1960, and possibly \$2,000,000 for the year 1961. We, in Philadelphia, as well as Pittsburgh, have been carrying a heavy burden in State education. I recall when I first ran for the Senate, our annual budget was \$53,000,000. At the present time, the Philadelphia budget is approximately \$100,000,000, and we are badly in need of some twelve to thirteen million dollars in additional funds.

This bill, as introduced, would knock out that small increase which the Philadelphia School District would get from the State, as well as the small increase that some 300 other school districts would receive.

The purpose of these amendments, as I offered them, is to permit Philadelphia, Pittsburgh and the other school districts to receive a slightly greater appropriation, and to make it easier for the districts which lose money from the State to apportion the loss, so that during the first year they would only lose twenty-five per cent; the second year, fifty per cent; the third year, seventy-five per cent; and during the fourth year, one hundred per cent.

I understand the Republican Caucus has refused to go along with what we consider a most reasonable amendment to this bill.

Here we are in the State of Pennsylvania, following a formula of ability to pay. We, as Democrats, do not object to that. I only want to call to the attention of this Senate that when it comes to other forms of taxation, we are always thrown back on the tax uniformity of the Constitution, and we are unable to pass legislation, as far as taxes are concerned, based on ability to pay. This is the one area, the one area of taxation where we base it on the equitable principle of ability to pay.

I say to the Members of this Senate that Philadelphia, with its budget of some \$100,000,000 per annum, will only

receive roughly twenty-eight per cent of its budget. Compare that with an average of fifty per cent of the budgets for all the school districts. Also compare it with some school districts which receive ninety-five per cent of their cost of education. Certainly, in all fairness, we must say that where our Tax Equalization Board has shown that the value of property for each unit has decreased, this is due to the fact that we have lost considerable taxable property in Philadelphia. Because of the Redevelopment Authority knocking down slums and because of the Mall, a great deal of taxable property was removed, and we no longer have this \$712,000 per classroom unit. I think in all fairness, the Members of this Senate should vote in favor of these amendments because it is only just and fair to the districts which have been carrying the heavy load of public education in the State of Pennsylvania, and it is not going to penalize the other districts too quickly or too much in any one year.

I ask the Senate to vote "aye" on these amendments.

Mr. BERGER. Mr. President, this matter was discussed rather at length last week, at which time I stated the reasons for this bill. The adoption of these amendments, while they would do what Senator Silvert has just said they would do, would defeat the purpose of the bill.

Mr. President, in the report of the State Tax Equalization Board, there were some five or six counties, I believe, that would receive an over-all increase and many counties would receive reductions in the subsidy payments, causing considerable consternation throughout the State, particularly in those districts in which there are many which have been unable to balance their budgets for the ensuing school year, much less receive less money.

We have no desire to penalize anyone. There is one significant factor in that report, and that is that the market value of the real estate in Philadelphia was decreased and the assessed valuation was increased. We would like to have that explained, Mr. President. Meanwhile we are obtaining some information about that factor and a few others in the report, we believe that the subsidy payments should be stabilized and no district should receive less money than it had budgeted for in the coming year and for the succeeding year.

Therefore, Mr. President, I am asking my colleagues to vote "no" on these amendments in order to preserve the original intent of this bill.

Mr. WEINER. Mr. President, the Majority Leader was correct. This matter was discussed at some length last week. However, I would like to point out to him that the reason the assessed valuation has gone up, even though there are less taxables, is because of the following:

Number one: Most large cities, which want to continue a healthy life, must go through redevelopment, of necessity, requires that certain properties be torn down and that the city, the State or the Federal Government acquire possession, in which event they are not taxable.

Take the area known as the Mall, in Philadelphia, near Independence Hall. That fronts right on Market Street, which is one of the big business areas in the city of Philadelphia, almost in the heart of the city. Those buildings have been torn down. Every one of them was fully tenanted and very few ever had any vacancies. This went on up three or four blocks to the north of this area, and about two or three blocks south of this area. These



were huge buildings which not only paid large sums in real estate tax, but also paid large sums toward our sewers and water. Usually, if they were engaged in any kind of light manufacturing, they also paid for excess water. Therefore, these were funds that the city could look to. Also, the people who occupied those buildings paid a personal property tax. Many of them were people of some influence or affluence who owned stock, mortgages and had other kinds of business interests, which provided a certain amount of millage that the city obtained and which it used for its school system and other operations of the city.

I believe the law of supply and demand has never been repealed. I do not believe it has been repealed by this Body, as far as I recollect. When you have less land available to be built upon and less land available for people to occupy, you, of necessity, must have greater value on the buildings which are available. The more area which is being removed, the more valuable the area which remains becomes. That is the precise problem that faces not only Philadelphia, but Pittsburgh and any other city undergoing redevelopment or any kind of renewal type of activity.

As a result of that, we have less taxables, but we have a greater amount of value placed on those taxables which are now present in the city. Therefore, the higher the assessment rate, the less property to be taxed.

Mr. President, at this time, I desire to interrogate the gentleman from Schuylkill, Senator Wagner, the Chairman of the Committee on Education.

The PRESIDENT. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. WEINER. Mr. President, earlier in this Session, when we got into some of the education problems, I believe at that time I asked Senator Wagner whether there was a certain amount of inequitable return to certain areas. We discussed the formula or formulae which are used in obtaining the reimbursement. At that time,—if I am misquoting Senator Wagner, I am sure he will forgive me and correct me—he stated that there is a formula which we use, one which is fair and equitable. He stated that this formula has been operating for some time and that everybody receives their just desserts. I think he said it in that term and did not use the words “just desserts” as a means toward an end, as it were.

I would like to ask the gentleman, who is much more learned in these matters than I am, whether he feels that Senate Bill No. 1034, if put into operation, would now change the answer he gave me earlier. Or, would his answer be any different had Senate Bill No. 1034 been in operation when I asked him the original question.

Mr. WAGNER. Mr. President, the question is a very logical, very proper and very understandable, under all the circumstances prevailing.

To go back a number of years, I have repeatedly stood on this floor and said that the formula, which I think Senator Silvert called something akin to the Einstein Theory, was nevertheless, a fair formula. When an odd, occasional or exceptional school district would introduce a bill, as has been done a number of times, to just arbitrarily give them x dollars more than the formula called for, I said that I would prefer to stand by the formula which had always been regarded as one of integrity.

I would like to say to the Minority Leader that I, for one, am not stating orally nor am I implying by my co-sponsorship of Senate Bill No. 1034 that that formula has been doctored, has been arbitrarily misused, or has been designed to do something for Philadelphia at the expense of the rest of the Commonwealth. I am not doing, Mr. President, any of those things. However, I would remind the gentleman that in previous years, since the inception of the State Equalization Board, there never has been a time, up until this moment, when everything seemed to go so completely awry.

It is difficult for the rest of the Commonwealth to comprehend, in spite of Senator Weiner's explanation of ten minutes ago, how the market value of real estate in Philadelphia could be reduced \$500,000,000, while the assessed valuation was going up \$50,000,000. I would suggest to the Senator that the idea is abroad, throughout the State, that somehow or other we are contriving to get Philadelphia, over the next three years, an additional \$4,768.40, while nearly all of the other school districts in the Commonwealth are taking it on the chin. The reason that Senator Silvert's amendments are opposed is because he states that Philadelphia will get this additional money, to which it may or may not be entitled. I would not care to argue that point. However, we would only hit the other districts gradually. Senator Silvert said, “fifty per cent of the loss, and then seventy-five per cent of the loss and then 100 per cent of the loss in reimbursement.”

Mr. President,—if Senator Weiner will forgive me, this is not a very brief answer—I would say, personally, that I have enjoyed friendly relationship with the school people of Philadelphia. I have always been impressed by the way they apparently try to do a good school job. I would like to say that for the benefit of the record. However, at this time the school people from all over the Commonwealth are begging us, importuning us, to increase their subsidies and their reimbursements. Because of the decreasing value of the dollar, they cannot make their budgets balance. We are saying to them that there are not any dollars in sight to do that trick. Then on top of that, not only do we say that there is no additional money in sight to increase their subsidies, but we have to take from them what they have been accustomed to receiving. If it were fair, formula-wise, we are still put in the position—I do not believe Senator Weiner could explain it to the satisfaction of the people around the Commonwealth, if he went from school district to school district—where the impression is out that the rest of Pennsylvania has to pay the freight for these additional benefits to Philadelphia.

Personally, Mr. President, I know of no better way than the way which Senator Stevenson and I are using, in Senate Bill No. 1034, to assure these districts that we would like to keep them from going to pieces by, at least, maintaining the subsidies that they had heretofore. If that can be done, and Philadelphia still benefits from the new figures of the Tax Equalization Board, certainly I, personally, would not resist nor combat such an effort.

Mr. WEINER. I want to thank the gentleman. I would also like to point out to him that perhaps he and I do not travel in the same areas of Pennsylvania. However, the thought is abroad, and has been for some time, that Philadelphia has suffered as a result of other areas of the Commonwealth obtaining a share which is not



only fair, but more than fair, at the expense of Philadelphia. Philadelphia is facing a deficit of \$13,000,000 in this coming year, and I respectfully point out to the gentleman that the amount they would receive, at best, would be \$2,100,000, I think it is, which they would receive under this new formula setup. It appears that Philadelphia is about to get only its fair share or, at least, a proportionate share. We are now changing the rules and the formula.

I would like to point out to Senator Wagner that the feeling has always been that if we were left alone, at our local level, and did not have to involve ourselves with the State, we could well take care of our own problems. There is enough money and taxable problems in our own area to take care of this situation. However, when you are saying to us, "Because you have now fallen below a certain level, it is unfair because you are going to get your fair share or, at least, a proportionate share. Because of this, we now are going to change the rules and we are going to change the formula and go back to when we liked the formula or when it was good to us."

I think no one can quarrel with the Tax Equalization Board. At least, we have not done so up until this present date. I have now been here for about seven years and we have never quarreled with it. I think we should attack this problem from another point of view, completely. I think we should try to find some solution for those districts that are hurt by this type of application of the formula. If the formula was bad in its inception, as it is bad today, we should have changed it then. However, having learned to live with it and having been with it for some time, I think we should not change the rules. I think what we are trying to do would be akin to the problem where you and I engage in sort of this mumbo-jumbo that we participate in here every Session. There is no other way to describe it. We are still reimbursing districts for doing away with the little red schoolhouses, when you and I know they have been done away with for some time. If we would withdraw this fund which is available for the replacement of the little red schoolhouses, which has been done many, many times, some of these school districts would be hard put to live under that type of an application or doctrine. Therefore, we overlook it every year and just go ahead and appropriate the money, just as though this problem still existed.

I think a fairer solution to this problem would be to leave the formula remain as it is. We have more or less learned to live with it or put up with it, as it were. I think we should address ourselves to the problem of how do we help these poorer school districts in another manner. If it means appropriating more money or if it means a form of taxation—and I do not know whether either one of these two things is indicated. However, if they are, I think they would be a more intelligent way than saying, "We are not going to play by those rules any more. We are going to pick up our marbles and, therefore, we are going to go back to the formula, as we like it or when it was good to us, and continue on that vein."

Mr. President, I have not asked whether the gentleman from Schuylkill would permit himself to be further interrogated, but I assume by the fact that he is still remaining at the microphone that he will.

My question to you, Senator Wagner, is supposing we

come back here in the next biennium and we find that this formula is even more unfair than it is now,—and I am looking at it from your point of view and not mine—do we again change it or do we go back to the 1957, or the 1955 or do we go back to 1953? When do we stop retrogressing in order to get a fair solution to this problem?

Mr. WAGNER. Mr. President, I would like to suggest to the gentleman that I have not advocated scrapping the formula. I have not accused the Tax Equalization Board of anything at this point. I simply have recognized the fact that after living with this all the years to which Senator Weiner referred, this is the first time we are taking exception to it because this is the first time that everybody, except one or two people, got kicked in the teeth by virtue of it, even though it might be fair.

I do not have the figures with me, but I looked down the list of the market valuations some weeks ago, and found that in most instances when a school district's market value, under the present findings, was reduced, usually the local assessment had been reduced. This seemed to make sense. When another district's market valuations went up, their local assessments had gone up. Sometimes, they had gone up very little, but the trend was up both times or down both times in both ways. However, here we have this unusual situation where the market value goes terribly down and the local assessment goes substantially up.

As far as Senate Bill No. 1034 is concerned, it is not designed to repudiate the Tax Equalization Board nor is it designed to take a slap at Philadelphia. It is designed to show the rest of the Commonwealth which is also in distress, that with their dollar going a shorter distance than it did before, we are not going to reduce the number of dollars.

I will quite agree with the gentleman that it is not probably the most perfect piece of legislation which statesmanship could devise, but it will allay the fears and the alarms which exist all over Pennsylvania. I am perfectly willing to join with the gentleman, and I think the Republican leadership generally is willing, to devise some way whereby we will not be tempted to do this next Session and the Session following this one, no matter where it strikes in the Commonwealth. The chief purpose for this bill, and the reason for which Senator Stevenson and I urge its passage, is because it will send out new hope and new confidence throughout the Commonwealth. If we were to let the matter stand and depend on an adjustment later—I do not know how much money the Administration has, Mr. President. If it has enough money, that Philadelphia could be accommodated with this fat increase and the other districts of Pennsylvania not be put in the position where they seem to have it taken out of their school pockets, I believe we could get together on such legislation and pass it.

Mr. SILVERT. Mr. President, it is not my desire to prolong this debate. However, I should like to offer for the record an editorial on this bill which appeared in the Philadelphia Evening Bulletin on Wednesday, August 12, 1959. I do not intend to read it. I just want to read one or two lines.

The purpose of this bill—and I would like Senator Wagner to hear this—"is, collect all you can from the cities, but give them back as little as you can get away with.



"The legislation is simply a bill to rob Philadelphia and Pittsburgh."

I should like also to make this statement, and if I am wrong, I should like Senator Wagner to correct me. Philadelphia, with its tremendous school budget, has raised by local taxation, from the time I have been in the Senate, anywhere from seventy to seventy-five per cent of the cost of its education, while the county from which Mr. Wagner comes, Schuylkill County, if my recollection serves me correctly, has raised somewhere between five and ten per cent locally, and the rest has been contributed by the State of Pennsylvania.

Mr. WAGNER. Mr. President, did I understand Senator Silvert to say that the editorial which he read was published in Philadelphia?

The PRESIDENT. In the Philadelphia Evening Bulletin, as I understand it.

Mr. WAGNER. I would suggest to the Senator that the same kind of editorials, in reverse, are being printed in towns throughout most of the rest of the State.

Mr. SILVERT. Senator, was I wrong in my estimate that your county has, through the recent years, only raised somewhere between five and ten per cent through local effort for their school needs, while Philadelphia has raised somewhere between seventy and seventy-five per cent through local effort for their school needs?

Mr. WAGNER. Yes, Senator, you were wrong.

There being no objection, the editorial was ordered to be printed in the Journal as follows:

#### A BILL TO ROB

Pennsylvania's school subsidy formula is a bit like the Einstein theory of relativity, in that more people talk about it than understand it.

The easiest part of it to follow is that it has always been slated to favor the poorer districts, using real estate value as an import part of the yardstick.

Up until now this has been fine with the wide-open spaces in Pennsylvania, which have received millions more in State aid to education than they have paid through State taxes. Philadelphia and Pittsburgh have had near-minimal help.

The Tax Equalization Board, which does the computing on real estate values for purposes of the subsidy, announced this year, however, that the big cities are in for an increase. It would amount to about \$2.5 million here, and it comes at a time when funds are greatly needed.

Legislators from the thinly populated parts of the State apparently find this intolerable. Hence a bill is being advanced in the Senate to freeze real estates values for subsidy purposes at the 1957 level. This would keep most rural school districts from any cut in subsidy, and it would keep the cities from any increase in subsidy.

The bill is being pushed by Senator James S. Berger, Potter County Republican, who represents the empty Northern Tier and who also represents a familiar legislative state of mind. That is, collect all you can from the cities, but give them back as little as you can get away with.

The legislation is simply a bill to rob Philadelphia and Pittsburgh.

Mr. BARR. Mr. President, I see some political figuring going on here today. I happened to read The Evening News, and I saw where the Republicans had a meeting last evening in one of the hostels around town here and they, at that time, said they would not be in favor of the appropriation contained in the bill in the House,

which is similar to the amendments which are being offered today by Senator Silvert.

For the benefit of those on the other side. I want to let them know that this bill, if it gets through here today, will never pass in the House of Representatives. Secondly, I asked either Senator Berger or Senator Wagner several weeks ago at the time this bill was on Second Reading, when the Tax Equalization Board made this report, if the shoe were on the other foot with respect to you gentlemen who represent the rural counties of the State,—and we will just take in toto the county of the gentleman who is Chairman of the Education Committee—and this bill helped that county and hurt Philadelphia, Allegheny, Lackawanna or Luzerne County, would this bill be on our Calendar today and I could not get an answer.

I tell you, Mr. President, I think that the people of the State know by this time that sixty percent of the taxes paid into the State come from Allegheny and Philadelphia Counties. At present, for every eight dollars that is handed out or given back by the State, only one of those dollars goes to Allegheny and Philadelphia Counties. These are plain, hard, cold facts.

In order to try and help these rural counties,—and there has been a little milking of the fund for years—under the subsidy plan as it exists over in the House, which I presume does the same thing as Senator Silvert's amendments would do, those who gained under this report would keep their gains, and those of you who lost by your unrealistic market values and assessments in your counties would only lose twenty-five per cent of that this year, twenty-five per cent next year, twenty-five and twenty-five. Of course, it could be that between those years you people would get yourselves in shape.

I remember when this bill was put in. It was introduced by a good and very capable Legislator, Senator Stevenson, and it was his dove. Now it looks like it may become a raven to him. I will say to you, Senator Stevenson, it was good legislation then, and I still think it is good legislation now.

This is going to be a great way of legislating. If you do not like the way the problem is put, when the figures are added and they do not come out to suit you, we will just change the formula. I have been telling Senator Wagner for years that the formula is unrealistic, and he has disagreed with me all through these years. He is the man who says that this is something sacred and cannot be changed. Lo and behold, Senator Wagner, you are very inconsistent. You are the man who is changing the whole thing with this bill today.

I also want to mention to my friend from Delaware County that this bill will hurt his county.

I hope that some of you on the other side will have the intestinal fortitude to support Senator Silvert's amendments.

Mr. BERGER. Mr. President, I am little distressed by the statement of the Senator from Allegheny County to the effect that if this bill should pass the Senate and be sent to the House, it will never move in the House of Representatives. We are incorrigible optimists, Mr. President, and we feel that when a good bill passes the Senate of Pennsylvania and goes to the House of Representatives, it will receive proper consideration, and if it meets with the approval of a majority of the Members of the Committee on Education in the House, it will go



promptly to the Calendar and be voted on in the House. If that occurs, Mr. Presidents, I would have every reason to believe that this legislation would receive a majority vote in the House, although I would not dare to predict with as much confidence as the Senator from Allegheny has done as to what would be the fate of the bill. I believe, however, that it would pass.

Mr. President, I want to remind the gentleman from Allegheny and Philadelphia—and, believe me, as I said last week, my consideration of their problems is entirely sympathetic—that the whole purpose and the fundamental reason for the passage of the present subsidy law was to provide equalization of education. Those districts which are better able to pay a greater cost of education in their own district are intended to do so under the fundamental purpose of the bill. Those who are not, are intended to and do receive a greater subsidy from the Commonwealth of Pennsylvania. It is just that simple.

As far as changing the formula, Mr. President, this bill does not do so. However, I say to you and to the Members of this Senate, in order to preserve the principle of equalization of education, if it become necessary to change the formula, I would support such a move.

Mr. BARR. Mr. President, again, I wish that Senator Berger would be consistent. He mentioned that any good bill which passes the Senate would probably be acted upon immediately by the House. I would like to tell him there are a couple hundred good bills which have been acted upon by the House and are laying here in committee, and I think we should do the same.

Perhaps, I should have added one more word when I said that this bill would not pass the House. Yes, it may pass the House, but it will pass with the amendments which Senator Silvert is offering here today. You are either going to vote for these amendments here today or you are going to vote for them when the bill comes back from a Conference Committee.

Secondly, you talked about putting the taxes on those best and more able to pay. You made a Democratic speech. That is our theory. I want to let you know that the market values in the city of Philadelphia and in the city of Pittsburgh have gone down. Therefore, we are not in as good shape as we were.

The Philadelphia School Board is up here asking the Members of the General Assembly to help them because they need \$14,000,000. This whole thing we are talking about here for the whole State is only \$7,000,000. The School Board of the City of Pittsburgh is in here with three different propositions for us; to levy a one-half per cent wage tax, to increase the millage, or to enact both of these measures and remove the head tax, or do one or the other, because they are short \$5,000,000.

If you are going to say, as you said just a few minutes ago, tax those most able to pay, think of us just for once

Mr. MULLIN. Mr. President, I do not think Einstein developed his theory in a very short time, and I imagine it took the authors of this particular formula a long time to develop it in favor of certain parts of the State. However, I do know that figures do not lie. I also know that some people can figure to their own advantage. I think that this formula was made to militate against the interests of Philadelphia, Pittsburgh and other parts of the State where there are large centers of population.

The Philadelphia Board of Education is \$14,000,000 in the red on this year's budget, and it does need money. Philadelphia had nothing to do with the creating of the values in Philadelphia. If you remember, the Philadelphia representative on that Board had not been on there for over two years. If you recall, he was recently reappointed to that Board. So, whatever happened with the Tax Equalization Board, happened through the operation of natural forces. I think that we should not turn back the clock on this formula at this time, as this bill attempts to do.

If the school districts need funds, let us have the courage to raise the funds and increase the amounts that are necessary, and levy the taxes to pay for them.

Mr. WAGNER. Mr. President, I just want to make a statement, as Chairman of the Education Committee, which I think should be on the record. It is in regard to several of the statements made by Senator Barr.

Senator Barr has consistently championed the cause of the Pittsburgh School District and, for that, I give him everlasting credit. I think it is proper and I think it is fitting. I would like to remind Senator Barr, and I want to repeat, that I am not advocating scraping the formula or discarding it. I am trying to do for the rural people of the State what Senator Barr successfully did for the city of Pittsburgh schools on two occasions. During a Republican Administration, there was an appropriation made over and above the formula to help Pittsburgh until they could increase their local taxes by a vote of the people. The people failed to vote the increase in taxes, and a second time we gave Pittsburgh additional money over and beyond the formula. When we did that—and I have no doubt that Pittsburgh used the money advantageously—we did not destroy the formula, nor do we propose to destroy it on this occasion.

Mr. BARR. Mr. President, I appreciate what Senator Wagner said. At one time when you gave us the subsidy, which just equalized us with Philadelphia for one year of the biennium, if I remember correctly, we did not fine anyone else. We took nothing away from anyone else. I want Mr. Wagner to be straight on that. We did not take anything away from anyone else. The school district in Class 1A received the same amount per teaching unit as the school districts in Class 1.

Mr. WEINER. Mr. President, I think that in this discussion it might be that we have some misimpression, and I would like to correct that if I possibly can do so.

Senator Berger was absolutely correct when he said they are not changing the formula. That is so. However, I think what they are doing is impeding the formula. In other words, they are saying that we have a formula and each year we put in the factors that make up this proportion. We do our addition, subtraction and division and come up with an answer. This year, we have done all this and we do not like the answer. Therefore, we are going to say that we will not use this formula this year and we will go back and use the formula we had two years ago, because we like those answers better. Therefore, we are going to use those answers.

When the formula is impeded in that manner, my question, which Senator Wagner intended to answer—I do not think he fully gave me a complete answer—is what will we do next year, or the year after that, when we find that the formula still is not giving the right



answer because perhaps the factors going into the formula are a little more fair than were used in previous years. Do we still go back to 1957, 1955 or 1953? If that is going to be the case, why have the formula at all? In other words, let us get a formula which will come up with the right answer every year. If the answer is one which the majority happens to like, that is fine, and that is the formula for that year. If the answer is one which is not liked, we go back to a formula which is liked.

This is a matter which changes from time to time. No one knows who will be the Majority Party sitting in this Chamber at the next Session or the Session after that. I think we are setting a bad precedent by doing this. I think it is unfair. While we discuss this matter here, perhaps in a light vein and perhaps our discussion has some value here as a matter of keeping people amused nevertheless, we are still dealing with the children of our school system who are the very basic assets of this State, our people. We all have an interest in the young people of our State, and they should come ahead of any other interest that faces this Body. We just cannot toy with that or fool with those figures or the results, because the results will be disastrous if we continue going the way that we are going now.

Philadelphia would only be getting an additional \$2,000,000 as a result of the operation of this formula. I would like to point out to Senator Wagner, if I was not very clear in the beginning, why our market values are down and our assessment rates are high. I would like to point out to the Senator an area which is right opposite City Hall in Philadelphia which, at one time, was covered by a bridge owned by the Pennsylvania Railroad. That bridge has been removed and there are three or four buildings in that area now, known as the Penn Center. Although the buildings do not cover as much area as the railroad bridge and the market value of that railroad site was very great, today the assessment of that area is perhaps ten or twenty times what it was originally when there was just a bridge for the Pennsylvania Railroad to cross, as compared to the present when there may be six or seven thousand tenants occupying those buildings. Also, the investment in erecting those buildings raised the assessable amount that is available to be assessed by the city.

If that is the entire situation, I think the gentleman should at least observe this thing by the eye and look at the record and find out why this situation exists, or what makes it so. It is not anyone toying or fooling with these proportions, because the factors that go into them are of such a nature that it requires really constructive thinking to try to obtain it. It is the same reason that they use the figure of \$5,800 as the denominator. Why they use \$5,800 rather than \$6,000 or \$10,000, no one can clearly tell except it is some arbitrary figure arrived at by someone and which is thought to be equitable. It has not operated that way, as we can see here today, because we would not have this legislation before us if it were equitable.

Mr. BARR. Mr. President, I promise that I will say this and then I will sit down.

I just want to serve notice on the gentlemen in the majority here in the Senate to beware that you do not kill the goose that lays the golden egg. Philadelphia will benefit far more than Pittsburgh under the report of

the State Tax Equalization Board. I happen to know the condition of the Philadelphia School Board. I have taken the trouble to check into it.

I will end by saying that if this report of the State Tax Equalization Board had just been the opposite, and if it would have helped the rural counties and would have hindered Pittsburgh and Philadelphia, this bill would not be on our Calendar today. I have always heard Senator Wagner, Senator Berger, and Senator Mahany before them, say that the rules should not be changed in the middle of the game. If ever there was an attempt to change the rules, it is being done by this bill we are debating here today on Third Reading.

Remember what I said. Beware; you may think you know what you are doing. However, if you give this further study, you will come back next week or two weeks later and say, "I agree with you," and you will vote for the bill including these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. BARR and Mr. SILVERT and were as follows, viz:

#### YEAS—17

Barr,	McCreesh,	Murray,	Sarrafi,
Hays,	McMenamin,	Ripp,	Seyler,
Kalman,	Miller,	Rooney,	Silvert,
Lane,	Mullin,	Ruth,	Weiner,
Mahady,			

#### NAYS—27

Berger,	Harney,	Pechan,	Wade,
Blass,	Keller,	Propert,	Wagner,
Chapman,	Kessler,	Scott,	Walker,
Confair,	Koprivier, Jr.	Shafer,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Whalley,
Elliott,	Madigan,	Taylor,	Wolfe,
Flack,	Mallery,	Van Sant,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SILVERT. Mr. President, I would like to know how Senator Fleming voted on this bill.

Mr. BERGER. Mr. President, I believe that Senator Fleming is attending a Conference Committee meeting. However, we can call him if the Senator would like us to do so.

Mr. SILVERT. I withdraw the request, Mr. President. May I ask how Senator McCreesh is recorded?

The PRESIDENT. He is recorded as voting "no."

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—34

Berger,	Hays,	McMenamin,	Taylor,
Blass,	Kalman,	Miller,	Van Sant,
Chapman,	Keller,	Pechan,	Wade,
Confair,	Kessler,	Propert,	Wagner,
Ehrgood,	Koprivier, Jr.	Rooney,	Walker,
Elliott,	Kromer,	Scott,	Watkins,
Flack,	Lane,	Shafer,	Whalley,
Fleming,	Madigan,	Stevenson,	Wolfe,
Harney,	Mallery,		

## NAYS—11

Barr, Mahady, McCreesh,	Mullin, Murray, Ripp,	Ruth, Sarraf, Seyler,	Silvert, Weiner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1035, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that the civil service provisions of the act shall not apply to the retirement of police and firemen.  
And said bill having read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1360, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" giving powers to and imposing duties on the Department of Health in connection with rehabilitation of persons with hearing or speech defects.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman,	Hays, Kalman, Keller, Kessler, Koprivier, Jr.,	Miller, Mullin, Murray, Pechan, Propert,	Silvert, Stevenson, Stiefel, Taylor, Van Sant,
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Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,
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Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,
--

Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
--

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1579, entitled:

An Act amending the act of August 5, 1941 (P. L. 752) entitled "Civil Service Act" requiring that the commission permit certain promotions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—40

Barr, Berger, Blass, Camiel, Chapman, Confair, Ehrgood, Elliott, Flack, Fleming,	Harney, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery,	McCreesh, McMenamin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Scott, Seyler,	Shafer, Stevenson, Taylor, Van Sant, Wade, Wagner, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—6

Hays, Miller,	Mullin, Sarraf,	Silvert,	Walker,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2201, Printer's No. 1091; and

House Bill No. 2237, Printer's No. 1188.

The PRESIDENT. Is there objection? The Chair hears none.



## REPORTS FROM COMMITTEES

Mr. KELLER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KELLER, from the Committee on State Government, reported as committed, Senate Bill No. 1031, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code," providing for the issuance of special permits authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission, to sell and convey real property situate in the Township of East Saint Clair, Bedford County.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Regional Business Development Credit Corporations to assist, promote and encourage through their institutional and corporate stockholders the development of property and advancement of business and economic welfare of various regions of the Commonwealth; prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in shares of business development corporations.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled, as amended, "Banking Code," permitting purchase or investment in shares of business development corporations.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in State and regional business redevelopment corporations.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County.

Mr. SHAFER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAFER, from the Committee on Constitutional Changes and Federal Relations, reported as committed, Senate Bill No. 1036, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, providing that each county, city, borough,

incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

## PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I would like to introduce a bill, co-sponsored by Senator Taylor and myself, which Senator Taylor was especially eager to personally introduce, but he had to leave because of a Republican Women's meeting. On his behalf, I am presenting to the Chair a bill, sponsored by Senator Taylor and myself.

## BILLS INTRODUCED AND REFERRED

Mr. WAGNER. Mr. President, I now ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WAGNER and TAYLOR read in place and presented to the Chair Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

Which was committed to the Committee on Insurance.

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. McMENAMIN, CONFAIR, WHALLEY, FLACK and ROONEY read in place and presented to the Chair Senate Bill No. 1108, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," changing the definition of "soft drinks" and imposing the tax on soft drinks at the retail level.

Which was committed to the Committee on Finance.

Mr. FLACK. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLACK read in place and presented to the Chair Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," further providing for the use of certain words in the corporate name.

Which was committed to the Committee on Corporations.

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BARR, CAMIEL, and WATKINS read in place and presented to the Chair Senate Bill No. 1110, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," authorizing the board to prohibit the sale of malt or brewed beverages by manufacturers at less than cost.

Which was committed to the Committee on Law and Order.

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WEINER, SEYLER, ROONEY, McCREESH, MURRAY, KALMAN and MULLIN read in place and presented to the Chair Senate Bill No. 1111, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," to define certain terms, to modify eligibility and disqualification provisions, payments and rates of compensation, to revise and increase rates of contribution, to limit scope of contribution appeals, and to repeal certain provisions concerning employes under Shipping Articles.

Which was committed to the Committee on Labor and Industry.

## SECOND READING CALENDAR

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 141, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

And said bill having been read at length the second time and agreed to,

Ordered to be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 142, Printer's No. 102; and

House Bill No. 184, Printer's No. 895.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 193, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" changing a route and adding a new route in Delaware County.

And said bill have been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 314, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 354, entitled:

An Act amending the act of June 25 1941 (P. L. 159), entitled "Municipal Borrowing Law" authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 398, Printer's No. 1072; and

Senate Bill No. 573, Printer's No. 1292.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 578, Printer's No. 189, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 598, Printer's No. 1385; and

House Bill No. 609, Printer's No. 1386.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 702, on second reading, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" removing the classification of school supplies for the purpose of purchasing without bids and increasing the amount of supplies that can be purchased.

be recommitted to the Committee on Education.

Mr. SEYLER. Mr. President, I second the motion.

The motion was agreed to.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 705, entitled:

An Act amending the act of April 23, 1956 (P. L. 1510) entitled as amended "Disease Prevention and Control Law of 1955" providing for the examination of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 706, entitled:

An Act amending the act of April 23 1956 (P. L. 1510) entitled as amended "Disease Prevention and Control Law of 1955" providing for the committing and treatment of recalcitrant persons suspected of being infected with



venereal disease tuberculosis or any other communicable disease.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 790, entitled:

An Act amending the act of June 3 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the marketing and counting of ballots.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of May 17 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "The First Class Township Code" further regulating the adoption of zoning codes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 847, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 869, entitled:

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949" providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 1, page 2, line 1, by striking out "The first paragraph of section" and inserting: "section."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

#### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 982, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law" requiring tax collectors to include additional information when making statements for taxes collected.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 998, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the closing of court houses and other county offices in counties of the third class on Saturdays.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PROPERT offered the following amendment:

Amend Sec. 1 (Sec. 2301.1), page 2, lines 4 and 5, by striking out "in counties of the third class."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. PROPERT offered the following amendment:

Amend Title, page 1, last line of Title, by striking out "in counties of the third class."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1015, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## REQUEST THAT BILLS GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1032, Printer's No. 1216; and

Senate Bill No. 1033, Printer's No. 1217.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I object to the bills going over in their order.

The PRESIDENT. There being an objection, the Senate will proceed with the consideration of these bills.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1032, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the board to consult with the Joint State Government Commission regarding certain contemplated certification.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading,

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1033, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled as amended "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to municipality authorities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1037, Printer's No. 1224, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1038, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987) entitled as amended "Sanitary Water Law" permitting certain municipalities to discharge sewage in certain water.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent



that Senate Bill No. 1047, Printer's No. 1238, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1077, entitled:

An Act empowering the Department of Health to regulate the burial of radioactive material and to issue permits therefor and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1129, entitled:

An Act amending the act of June 12 1931 (P. L. 510) entitled as amended "An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" providing for a provisional license.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1207, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. RIPP offered the following amendments:

Amend Section 1, Page 3, Line 17 by striking out "(a)"; Amend Section 1, Page 3, Line 18 by striking out "(b) whose electorate have not rejected the formation of a"; Amend Section 1, Page 3, Line 19 by striking out all of said line; Amend Section 1, Page 4, Lines 1 and 2 by striking out all of said lines; Amend Section 1, Page 4, Line 3 by striking out "trative unit."

They were agreed to.

The Section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1448, entitled:

An Act amending the act of April 23, 1956 (P. L. 1510) entitled as amended "Disease Prevention and Control

Law of 1955" allowing the court appointed physicians and physicians of penal institutions to make examinations for venereal disease.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1472, Printer's No. 640, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1537, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing provisions relating to the keeping open of schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1544, Printer's No. 874; and

House Bill No. 1620, Printer's No. 936.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1645, Printer's No. 787, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1731, entitled:

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a division for the borough of West Chester.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers

of school taxes and school treasures in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employees and imposing penalties" changing the times for filing returns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1822, entitled:

An Act amending the act of March 19, 1951 (P. L. 28) entitled "State Council of Civil Defense Act of 1951" making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1885, Printer's No. 1153, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I would tell the gentleman that the words in the title, "for the purpose of erecting a townhouse" are not a printer's error.

The PRESIDENT. Is that of any help to you, Senator Weiner?

Mr. WEINER. Mr. President, my difficulty is in not knowing the definition of a townhouse. No one has been able to quite define what that might be. People who live in the country usually have a townhouse, and that means some place other than where they generally live.

If this is, as I have just heard, a city hall or a place where business is transacted in a second class township, I think that alleviates some of the problem.

Mr. BERGER. Mr. President, my explanation was only to guide the gentleman, because there might have been some misapprehension that the word "townhouse" had another connotation or was a printer's error, but that is not correct.

The PRESIDENT. Senator Berger, are you objecting to the bill going over in its order?

Mr. BERGER. Mr. President, I have no objection to the bill going over in order.

The PRESIDENT. There being no objection, the bill will go over in its order.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1953, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" providing that the auditors' report shall be filed by the auditors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1999, Printer's No. 990, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2009, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" further providing for the regulation of parking lots.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2121, entitled:

An Act amending the act of March 1 1867 (P. L. 306) entitled "An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties" providing that the constable and collector hereafter elected shall hold his office for a term of two years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1031, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code," providing for the issuance of special permits authorizing licensed establishments to sell until two o'clock antemeridan on Sundays.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1036, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania providing that each county, city, borough, incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and



Supplies, with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission, to sell and convey real property situate in the Township of East Saint Clair, Bedford County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Regional Business Development Credit Corporation to assist, promote and encourage through their institutional and corporate stockholders the development of property and advancement of business and economic welfare of various regions of the Commonwealth; prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in shares of business development corporations.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in shares of business development corporations.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in State and regional business redevelopment corporations.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## PETITIONS AND REMONSTRANCES

Mr. HAYS. Mr. President and Members of the Senate, we have heard this afternoon about the Einstein Theory and a good deal about the school subsidy formula. I am

going to start by trying to do a little parody. Between the dark and the daylight, when the clouds are beginning to lower, there comes a pause in the Senate's deliberations which is known as the newspaper hour.

My reading over the week end included a news article from the New York Times, which I think presents some very significant facts that the Senate of Pennsylvania should have before it at a time when we are thinking of taxes and the budget. This is a report from the Commerce Department in Washington, D. C., in which it points out the per capita taxes collected for the forty-nine States for the fiscal year ending June 1959, and the average per capita tax was \$91.70. For Pennsylvania, it was \$81.22. We are always concerned about our neighbors and the kind of climate in which we live. If I may start with the State of Delaware and go around the State, the figures from the Federal Commerce Department indicate that in the last fiscal year, the State of Delaware collected \$149.94 from its citizens per capita compared to Pennsylvania's \$81.22; the State of Maryland, \$107.36; the State of West Virginia, \$82.09; the State of Ohio, \$78.18; the State of New York, \$97.73; and finally, the State of New Jersey, \$58.85.

Of course, we must keep in mind in the case of our neighbors in New Jersey that they have little in the way of subsidy to local municipalities, including school districts.

It seems to me if we are to consider properly the role that Pennsylvania should play for its citizens, we should keep in mind what our neighbors are doing.

The next newspaper article to which I want to call your attention is one sentence from yesterday's Patriot-News. It has reference to a bill that I had the privilege to co-sponsor. I just want to correct one statement in the editorial. This says:

"This was also the week that the teachers' lobby got its bill introduced, calling for \$100 million more in state subsidies for teacher pay."

I just want to report to the Senate, and to the responsible press, that as one of the sponsors of this bill that has been referred to, I had no knowledge of any teachers' lobby, and I presume they refer either to the A. F. of T. or to the Pennsylvania Education Association. I had no knowledge of them having any interest in this particular bill, Senate Bill No. 1099. I think one of these organizations does have a bill which they have sponsored and that is House Bill No. 1108.

To bring my reading up to date, in the August 16th issue of the New York Times, I noted an article to the effect that Northwestern University had just received a grant of about \$80,000 to make a "Conservation of Brainpower Study" for the U. S. Office of Education. This news story went on to say the two and one-half year project will attempt to determine how many high-ranking high school graduates want to go to college but do not do so. Researchers want to find out why such pupils do not continue their education. The project has received a grant of \$80,000 from the United States Office of Education. The University said the project has resulted from the need for enough brilliant minds to run the age of the atom and the satellite.

I deem this to be very important, and this question is one which I believe is held to be important by a ma-



jority of the citizens of the State. I think this is a matter of national defense, in its best sense, and also a matter of building a better Pennsylvania.

Within the past two weeks, each Member of this Senate, I understand, received a copy of a letter from the President of Penn State University, indicating an immediate increase in tuition, an increase of thirty-seven per cent. With the kind of an era in which we live, this increase in tuition may not be much of a surprise. May I point out that my remarks are not primarily in the interest of Penn State, but, instead, in a much wider interest of which Penn State is only a symbol. The issue, Senators, is higher education for the few, or higher education for the more than the few; particularly whether or not higher education in Pennsylvania is to be primarily for the few or for the more than the few, and more particularly whether or not higher education in Pennsylvania is to be reserved almost exclusively for the children of the more favored economic class, or whether higher education shall be open primarily on the basis of brain power rather than bank power.

The United States Office of Education, as I just indicated, is spending \$80,000 on this study, when the facts already indicate that over the United States, as a whole, about one out of three high school graduates are in institutions of higher learning, with many States having a ratio of two out of five in college, and at least one State with a one out of two ratio. Here in Pennsylvania, our ratio has been one out of five, or perhaps one out of four. However, with a severe steel strike in many parts of our State and with the State University's tuition going up thirty-seven per cent, it becomes apparent that the ratio may go down to one out of five or one out of six. Whether it goes down or up, you can readily see that the children from low income families—and I am only speaking now of children with brains—are going to be the ones denied admission to a higher education this fall and in 1960 in Pennsylvania, for when the State University raises its tuition to \$480 a year, as Penn State has just been forced to do, you can see that we are practically pricing higher education out of the grasp of all but the children of the well-to-do. With \$1,000 as a board and room figure, plus the \$480, you get almost \$1,500, which puts a price tag of \$6,000 on a four year education in Pennsylvania. I for one believe, and many of you also believe, that it is highly unrealistic to expect a sixteen or seventeen year old to borrow \$6,000. If they do not borrow, under our present arrangements, we lose them and their brains to the Commonwealth and to the Nation. This is a resource that we can ill-afford to lose.

With Penn State at \$6,000, the Teachers' Colleges remain as the only chance for the youth whose family is in the low income bracket, and the tuition at the State Teachers' Colleges has also been creeping up year after year. The Teachers College does have an important role, but not only do we need the best minds, whether their parents be rich or poor, in teaching, but we need the best minds in other fields also, fields that the Teachers' Colleges are not prepared to give or not intended to provide.

Now I want to make a short but very intimate report on a first hand study that I made in eight high schools in one county of the Commonwealth. These are relatively small high schools and, over the last two years, which this report covers, about 1,000 students completed their

high school work in these eight schools. This, you will see, is about 500 a year. They are small high schools, but in schools of this size, there is a good chance that a faculty knows very well the aspirations, as well as the abilities, of its graduates. I asked the principals of these eight schools this question: "How many students who made high school records that placed them in the first fifth are not in college due to limited finances?" You see, we ruled out all factors except finances and we limited the study to the top fifth, and the top fifth is rather rich cream. I wonder how many second, third, fourth or fifths happen to be in this particular body. We will not pursue that, however, but instead get immediately to the answers from those eight schools.

I was informed that of the 200 first fifters, and you will recall there were 1,000 in the whole group, fifty, or one out of four—B. S., before steel strike; B. T., before tuition rise—will not be in college this fall because of lack of finances. Once more, this is but the top fifth and many colleges have had very good success with the second fifth and lowerfifths. If these eight high schools are typical, as far as central Pennsylvania is concerned, and I believe that they are typical, this makes me shudder to think of the loss to the entire Commonwealth if the total 1959-1961 budget continues to deny these opportunities to hundreds of youth with brain power, but not bank power.

What are other States doing? I have been informed that Wisconsin has had to increase its tuition also. However, it had to increase it ten per cent instead of Penn State's thirty-seven per cent. Also note, however, that the increase in Wisconsin is from \$200 to \$220. Penn State's tuition is double that of Wisconsin. Penn State's \$480 is now near the top of all similar State schools. If we cannot afford to support higher education for all qualified on a scale similar to other States—a fact that I will not admit—but if we cannot do it on such a wide scale, then I suggest that we make sure that the very, very cream part of the brain power of our youth, say the top 5,000 or even 1,000, are being prepared for the world and its problems, and that this number of scholarships be granted to high school seniors to guarantee that they get into institutions of higher learning, this number of 1,000, instead of the present measly eighty. New York State has State scholarships in the thousands.

On August 10, 1959, a newspaper editor, the editor of the Centre Daily Times, wrote in part as follows on this question. The editorial was entitled, "Public Education Just Fading Away." The newspaper article stated the following:

"Since increases seldom, if ever, are eliminated at a later date, it appears that Pennsylvanians are destined to live with the present situation for a long time. Pennsylvania's legislators have been slow to respond to this problem, and tuition and fees are rising to the point where 'public education' no longer is synonymous with educational opportunity. On the contrary, everything would seem to indicate that fewer and fewer people of modest means are going to be able to provide the educational opportunity their children so badly need and so richly deserve."

On this day, Mr. President, when many of us are giving serious concern to a State budget for 1959-1961, let us not put too low on the list matters relating to needy youth support of higher education, scholarships for brain



power and adequate support for basic elementary and secondary education, as well as public libraries, so that our youth will have equal or better opportunities for education with their friends in other States, but, more importantly, with their contemporaries in a Nation known as the U.S.S.R.

Mr. SEYLER. Mr. President, Congressman Dent, during his tenure in this Senate, said many wise things. One thing which I will always remember that Senator Dent said was, "Never start a fight with a newspaper because they publish every day." I scrupulously pursued that policy and I do not intend to change. However, I would like today to pay some attention to some remarks made by the editorial writer of the Sunday Harrisburg Patriot-News, of yesterday, who took one paragraph of his very thoughtful editorial and devoted it to the Senator from York. His statement reads as follows, in part:

"This was also the week that the teachers' lobby got its bill introduced, calling for \$100 million more in state subsidies for teacher pay. One of the cosponsors, York County's Senator Seyler, wound up as one of only two Democrats voting against the sales tax. This is indicative of far more than Senator Seyler's own feelings on taxing and spending. It's prize example of the kind of irresponsibility displayed by so many Republican and Democratic legislators back through the years: Vote against taxes on some pretext or another but vote for spending and even urge new spending."

Mr. President, I know something about how newspapers operate, having had a little experience in this occupation myself. I realize the problems of news gathering and I have great sympathy with the gentlemen of the press who report our news. I have a basic conviction that, by and large, they report accurately. At least, they report as accurately as is possible to them, with the resources of time at their disposal. I have no objection to the editorial columns of a newspaper expressing any opinion that may be the opinion of the editorial writer. Editorial writers, of course, Mr. President, are anonymous. While they use Senator Seyler's name in their column, Senator Seyler has no way of identifying the writer of the editorial. However, this is all right because I take it that this reflects the views of the newspaper in question. There are some statements, however, Mr. President, which seem to me to be not merely opinion, but which touch on questions of fact. Had they been reported in their news columns, I think their news reporters would have been much more careful about them.

First of all, I would like to say just a few words about the opinion of the editorial writer as to the fact that he considers it wrong for someone to be willing to vote for appropriations and to vote against taxes. Mr. President, all of us vote for appropriations because appropriations are necessary. We may not vote for all appropriations because we consider some of them not justified or not needed. Similarly, that is the case when we come to taxes. The fact that we realize that appropriations are necessary certainly does not commit us to the position that, therefore, we must vote for any tax which is presented.

Obviously, there is a choice between taxes, as well as

there is a choice between appropriations. I indicated, in stating my position in debate on this measure, that I had voted for taxes and I was willing to vote for taxes. I even specified tax proposals which I was willing to vote for which would have brought in more income than the tax measure that I found myself impelled to vote against. I cannot yield to the gentleman's suggestion, if that is what he is making, that anyone who votes for any appropriations must, therefore, vote for any taxes which are presented. I believe to do this would be to abdicate the Legislator's right to represent his constituents and vote for the kind of taxes that he considers to be appropriate and proper.

However, Mr. President, this is still in the area of opinion and I am not too much concerned about this. Anyone in public life must put up with a certain amount of distortion of his views and mangling of his opinions. I really am used to it and I do not really object. I do object, however, to the first part of the gentleman's statement in which he said as follows:

"This was also the week that the teachers' lobby got its bill introduced, calling for \$100 million more in state subsidies for teacher pay."

I object to that, Mr. President, because, as a matter of fact, that is untrue. The gentleman could have easily verified the facts that he alleged by consulting either the teachers' lobby or any of the Senators involved. I wish to state categorically, Mr. President, that that statement is a falsehood. I presume that he means by "the teachers' lobby," the P.S.E.A. If that is what he means, I ask him to consult any representative member of the P.S.E.A. and ask him whether this suggestion was made. As far as this being a bill for more teachers' pay, Mr. President, let me point out to him that the bill which we introduced reduces the amount of money that the P.S.E.A. proposal. This bill would cut that amount in half.

Therefore, Mr. President, I think the editor of this newspaper—not criticizing his opinions, but criticizing this question of fact, which he has here stated—has violated the ethics of his profession and has done something which I think he would not tolerate in one of his reporters. He has either loosely and carelessly made a statement which was incorrect or else he has made a deliberate falsehood.

Mr. President, I did not read the entire paragraph devoted to Senator Seyler. Therefore, I would like to read the rest. He goes on to say the following:

"Senator Seyler prides himself on being a free-thinking independent. So when it comes to unbalanced budgets and a fiscal mess, let's not put all the blame on political hacks and party machine yes-man, adept though they may be at this sort of thing."

Mr. President, in the light of the gentleman's loose handling of the truth in his editorial, I would like to paraphrase what he said, as follows:

"The Patriot-News prides itself on being a free-thinking, independent newspaper. Therefore, when it comes to irresponsible charges and editorializing, based on misinformation or falsehoods, let us not put all the blame on the servile party press or on the hack editorial writers or cynical publishers, adept though they may be at this sort of thing."

## HOUSE MESSAGES

## HOUSE CONCURS IN SENATE BILL No. 941

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 941, entitled:

An Act to commission posthumously, Edwin L. Drake, in the Pennsylvania National Guard.

with the information that the House has passed the same without amendments.

## BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 38, Printer's No. 38;  
Senate Bill No. 41, Printer's No. 41;  
Senate Bill No. 148, Printer's No. 955;

Senate Bill No. 637, Printer's No. 689;  
Senate Bill No. 683, Printer's No. 740;  
Senate Bill No. 772, Printer's No. 969;  
Senate Bill No. 811, Printer's No. 937;  
Senate Bill No. 833, Printer's No. 1073;  
Senate Bill No. 941, Printer's No. 1176;  
House Bill No. 1690, Printer's No. 1356; and  
House Bill No. 1721, Printer's No. 1361.

## ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Tuesday, August 25, 1959, at 11:30 o'clock, a. m., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:21 o'clock, p. m., Eastern Standard Time, until Tuesday, August 25, 1959, at 11:30 o'clock, a. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, August 24, 1959

The House met at 3:30 p. m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, Who hast made the remembrance of Thine apostles days of gladness and joy to thy Church: we thank Thee for St. Bartholomew one of that apostolic band whose name we remember this day. Grant us perfectly to know Thy Son Jesus Christ to be the Way, the Truth, and the Life; that following His steps we may steadfastly walk in the way that leadeth to eternal life: through the same Jesus Christ, Thy Son, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever one God, world without end. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, August 10, Tuesday, August 11 and Wednesday, August 12, 1959? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, August 20, 1959 will be postponed until printed.

The Chair hears none.

## WILLIAM KIRK, JR., WELCOMED

The SPEAKER. We have an interesting visitor here today, all the way from Abilene, Texas, young William Kirk, Junior, thirteen years old. He is busy interviewing Governors for the purpose of qualifying for a merit badge in state government, which will qualify him for an Eagle Scout rating. He has chosen to interview Governor Lawrence because William was a former resident of this state.

The young man is accompanied by his father, Lt. Colonel William Kirk, Sr., of the Air Force, by Mrs. Kirk, his mother, and by his grandfather and his aunt.

## BILL INTRODUCED AND REFERRED

By Mr. REIDENBACH

HOUSE BILL No. 2335.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

Referred to the Committee on Education.

By Mr. POLEN.

HOUSE BILL No. 2336.

An Act making an appropriation to the Department of Agriculture for the payment of fees to veterinarians for the taking of blood samples.

Referred to the Committee on Appropriations.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the

Committee on Appropriations to meet during the session of the House.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## MESSAGE ON UNEMPLOYMENT COMPENSATION LAW

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, August 24, 1959.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

It is now my duty to recommend amendments to the Pennsylvania Unemployment Compensation Law to the General Assembly.

In this connection I think an understanding of the need for legislative action can best be acquired by reviewing briefly the board financial and historical aspects of the program.

During the national recession of 1958, the Pennsylvania Unemployment Compensation Fund paid out \$385 million to more than 900,000 Pennsylvania claimants. This was money well invested; undoubtedly it helped tide many over the severe hardships which afflict families when the wage earners are not working. It sustained our economy in every town and county of the State. There is no one who can rightfully say that this program is not tried and proven necessary to the wellbeing of us all.

The expenditures for the year 1958, however, greatly exceeded the income of \$166 million and as a result, through a provision of the law enacted by the Assembly in 1955, the tax rate for all employers rose to 2.7 percent for the year 1959. During 1959 it is estimated income will be in the neighborhood of \$220 million, with expenditures somewhat less than \$250 million. At year-end 1959, the balance in the Fund will be about \$100 million. Estimated income for 1960 under the present law will be about \$230-240 million with expenditures in a somewhat lower range. It is clear, then, that the Fund is now almost on a pay-as-you-go basis, but this is not satisfactory. In years of relative prosperity we must put aside reserves for the lean years sure to come, when unemployment rates soar as a result of adverse national economic conditions.

Although the recent national recession was responsible for the heavy drain from the Fund in 1958, there has existed for long years an underlying need to establish a sounder relationship between Fund income and expenditures. In eight of the last ten years outgo has exceeded income. As a result, on November 1, 1948, the Fund held \$630 million; by January 30, 1955, the reserve had dropped to \$374 million, and after the 1958 recession, it sank further to \$98 million by January 30, 1959. During the spring of this year it reached its low point of \$43.2 million.

The situation called for emergency action. With exemplary speed this General Assembly passed legislation authorizing the Commonwealth to borrow up to \$112 million of interest-free money from the federal government. This provides a safe margin assuring continued payment of benefits until we have an opportunity to act.

At about the same time, the State Senate passed a resolution calling upon the Governor to appoint a non-partisan committee of Pennsylvania citizens to study the situation, identify the problems, and suggest action for putting the program on a sound basis. How heartening it is to note that both Legislative Chambers, in dealing with unemployment compensation, have been completely free of partisanship. How right and how proper it is that partisanship be excluded from decisions regarding unemployment and its attendant hardships!

It was against this background that I called upon fifteen able and well-informed citizens of Pennsylvania to assist the Commonwealth in finding solutions to the numerous and complex problems associated with the unemployment



compensation program. They were men chosen equally from Management, Labor, and the fields of public endeavor. Under the chairmanship of Dr. James Creese, President of Drexel Institute of Technology, they courageously and laboriously addressed themselves to the almost impossible task of compiling recommendations that would solve the problems at hand and, at the same time, satisfy all interested parties. They deserve the high praise and gratitude of our people for their hard work, and the results of their endeavors have been placed on the desk of each Member of the Assembly.

Before outlining specific recommendations, many of them based on the deliberations of this worthy Citizens Committee, I should like to make several statements which may serve to clarify our perspective:

1. During the last decade, Pennsylvania has had more areas of economic distress than any State in the Union, as you know. At least a dozen are classified by the national government as chronic. They have been in this condition since the 1940's and this Assembly knows what actions we are taking and what actions we are asking the federal government to take, to cure these long-standing ills. Until the happy day comes when we have substantially diminished or completely eliminated these conditions, we in Pennsylvania will be troubled with an above-average unemployment ratio which calls for an above-average unemployment compensation program with taxes to support this need.

2. Despite the hard and thorny truths of the above statements, Pennsylvania benefit costs have not been out of line with other large industrial states. During the ten years ended 1958, Pennsylvania paid out an average of 2.1 percent of taxable wages in benefits. Our neighboring State of New York also paid out 2.1 percent, and New Jersey 2.3 percent. There are states which paid benefits at a lower rate, but if you make a statistical adjustment to compensate for our higher unemployment rate you will find that the Pennsylvania benefits costs, financially, have not been excessive.

3. Pennsylvania's tax rates during the last ten years have not been as high as those of several industrial states. Indeed, for the ten years ended 1958, New York State collected taxes at the average rate of 2.0 percent, while we were collecting 1.4 percent. It is worthy to note that had we employed their tax rates we now would have in our Fund \$500 million and no problem in this field. But this is wisdom after the event. Undoubtedly the inadequate tax measures of the late forties had much sincere support and it is more important to realize where we are than to review what might have been.

To return to the Committee's report, which has been carefully studied: I have given the viewpoints expressed therein much consideration. So impressed am I with the valuable information and beneficial viewpoints resulting from citizen participation in this program, that I plan to revive the State Advisory Council which is already provided for in our Unemployment Compensation Law, adding to it the legislative members of the Governor's Committee who served so well. We must have a continuous review of this great program, so that this office and the Legislature regularly may know the effects of the Law on our economy.

I accept all the unanimous recommendations of the Committee and recommend their adoption by the Legislature. These are:

1. To make every effort to rebuild the Fund to \$300 million by the end of 1962.

2. To bar benefits to students when based on summer vacation work, or work performed as a part of the curriculum of a cooperative institute or college.

3. To reduce waiting weeks for maritime workers from three to one, bringing them in line with other covered workers.

4. To correct a long-time inequity in the Law, which has prevented payment of benefits for several days in the case of certain claimants at the end or beginning of the benefit year, and

5. To allow eligibility to persons self-employed in a sideline farm or business who become unemployed in their major employment occupation.

The prevailing view of the Committee calls for the restoration of experience rating, beginning January 1, 1960. I am submitting a proposal which accomplishes this objective by establishing a schedule of rates between 1.6 percent and 4.0 percent through 1962. This means that 40,000 to 45,000 employers whose employment turnover has been of low cost to the Fund will receive substantial rate reductions, beginning 1960, from the 2.7 percent uniform rate in effect this year. This schedule establishes a more direct relationship between an employer's tax rate and the cost of his turnover to the Fund. One of the reasons the Fund was depleted was that the maximum of 2.7 percent paid by many employers did not cover the cost of their labor turnover to the Fund. Therefore, Pennsylvania must, I regret to say, raise the maximum rate for such employers. Employer contributions, generally, must correspond to their cost experience to the Fund.

One of the desirable features of this plan is that it provides an additional incentive to employers to stabilize their employment and thus earn a lower tax rate. I think it is a just insurance principle that lower costs reflect themselves in lower rates.

I am happy to say that new industries coming into Pennsylvania which show a good experience with the Fund will be eligible for reduced rates after eighteen months.

It is estimated that this proposed plan will raise \$280 to \$290 million per full year, as compared to \$230 to \$240 million on the uniform 2.7 percent. The additional revenue is raised primarily by the introduction of a Fund rebuilding factor averaging 0.7 percent to produce \$60 million. This will be dropped when the Fund exceeds \$300 million. The Governor's Committee recommended that the target date for reaching the \$300 million Fund level should be December 31, 1962, and it is to be anticipated that barring unforeseen dips in business, this goal can be met.

Attached to this message is an exhibit showing seven-teen states which now have a maximum rate exceeding the 2.7 percent which has been traditional for Pennsylvania. The 1954 and the 1957-58 recessions have caused these states to raise their maximum rate and now it is Pennsylvania's turn. In Delaware the maximum rate has been set at 4.5 percent on \$3,600 for the next two years. This is equivalent to 5.1 percent on a \$3,000 tax base such as we use in Pennsylvania. Illinois goes to a maximum of 4.0 percent in 1960, Michigan is now at 4.5 percent maximum and California's maximum is 3.0 percent on \$3,600 or equivalent to 3.5 percent on \$3,000.

The submitted experience rating program is sound, and is a revision of the one currently in the Law. There are other proposals, supported by employer groups, to amend the present formula and designed to overcome the glaring deficiencies which have developed. While I believe that the submitted proposal is superior, from the standpoint of actuarial soundness and equity, my position is that this is a decision for the Legislature. Any amendments which will restore experience rating in January 1960, and raise the necessary funds and treat employers equitably according to their experience with the Fund, will meet with my approval.

Now, as to benefits: As can be seen from the exhibit attached, many states have increased the weekly maximum benefit amount for claimants. In fact, more than 20 states now allow benefits above our \$35 maximum. For example, New York has a maximum of \$45 and California of \$55; Illinois, from \$32 to \$50 for those with dependents, Maryland, from \$35 to \$43, and Connecticut from \$45 to \$67. The Committee members generally agreed that the level of weekly benefit amounts should be such that the majority of claimants would receive approximately 50 percent of their full-time gross weekly wage, although disagreeing as to the manner and timing of reaching this objective. This recommendation follows the frequently expressed views of President Eisenhower and Secretary Mitchell on this point.

I regret that the financial condition of the Fund will not permit meeting this standard at this time. However, we must make a start in this direction and I therefore



recommend that we move gradually toward this goal by raising the weekly benefit amount to \$38 on January 1, 1960, \$40 on July 1, 1960, and \$42 on January 1, 1961.

I recommend that the present allowance of earnings from part-time or casual employment should be changed from the flat \$6 per week to 30 percent of the weekly benefit amount, but not less than \$6. This will encourage the seeking and taking of part-time employment by unemployed claimants, thus tending to relieve the Fund.

The Committee considered many proposals for corrective measures. After reading the Committee's report, I believe that women who quit work on account of pregnancy should be ineligible for benefits; those laid off because of pregnancy, but able and available for work, limited in eligibility to the first six months; pregnant women laid off due to lack of work should be eligible up to the eighth month.

I also ask that eligibility for those who leave employment for a compelling and necessitous cause should be continued, if the claimant is able and available for work. However, such eligibility should not be continued for wives or husbands who voluntarily leave employment to accompany their spouse to a different area unless such person is the sole or major support of the family.

A number of proposals have been and will be made to you, that persons who are unwillingly retired as pensioners, although they wish and need to continue in employment, should be denied or given reduced benefit payments. Most emphatically I oppose any universal application of this principle. The older worker should not be treated differently than a younger person who is involuntarily terminated. In too many areas we already see the doors of employment closed to older workers who are able to do a good and useful job and I feel that this Legislature does not want to discriminate against the worker with regard to his unemployment compensation rights, merely because he has reached a certain age. In this field, the only change I recommend is one which will generally exclude those receiving high-bracket pensions from collecting unemployment compensation unless based entirely on a new work record.

I recommend to the Legislature that it revise eligibility requirements for those earning less than \$600 in their base year, in accordance with certain provisions described in an analysis also forwarded to the Legislature. Generally, this means that those whose attachment to the labor market is casual, temporary or seasonal may not be eligible for the benefits available to those firmly in the labor market.

Much has been said about limiting the eligibility of all claimants to one year, unless the second year is preceded by new employment. I am opposed to this. Pennsylvania is a state which has suffered from chronic as well as protracted unemployment. Such a measure would fall with crushing force on many of our depressed areas and I do not think the people of this State would wish to remove this help from their neighbors. Nor is this a problem for certain areas alone. In the last two years we have seen prosperous and bustling industries returning to high employment and production without taking back tens of thousands of workers, leaving them unemployed continuously since late 1957. These people are unemployed because of automation, plant renovation and improved industrial technologies. Unfortunately they, and many others like them, have been and will be unemployed through no fault of their own for long periods of time. We must not change provisions in the Pennsylvania Law, imbedded since 1938, in order to disqualify such people.

These, in general, are the proposals which I submit to the Assembly. They are not generous, nor are they harsh. They are not the kind of proposal which I would submit if the Fund stood at \$600 million as it did in years past; but we must face realities. The Assembly and this Administration must accept facts as they are and these facts dictate the proposed measures. As we grapple with these problems and manfully do our duty, I feel sure that the people of this Commonwealth will say, "This is the Legislature acting in its best tradition."

DAVID L. LAWRENCE.

# TABLE OF SELECTED STATES SHOWING BENEFIT AMOUNTS AND MAXIMUM ALLOWABLE UC TAX RATES HIGHER THAN 2.7

State	Amount of Weekly Benefit	Benefits Increased During 1959	Maximum Allowable UC Tax Rate (Percent)
(Note: Where 2 figures are given, higher figure includes dependents' allowances.)			
PENNSYLVANIA	\$35		2.7 for all employers during 1959
Alaska	45-70		..
California	55	x	3.0 (3.5)*
Colorado	42-55 <sup>b</sup>	x	..
Connecticut	45-67	x	..
Delaware	40		4.5 (5.1)**
Idaho	40		..
Illinois	32-50	x	4.0
Indiana	36	x	..
Iowa	30-44	x	..
Kansas	40	x	..
Kentucky	34		4.5
Maryland	35-43		3.7
Massachusetts	35-plus dependency		3.3
Michigan	30-55		4.5
Minnesota	38		3.0
Missouri	33		3.5 <sup>d</sup>
New Hampshire	38	x	..
New Jersey	35		3.6
New York	45		3.0 <sup>e</sup>
North Carolina	32		3.7
Ohio	42-53	x	3.2
Oregon	40		..
Rhode Island	36-44		2.7 (3.1)*
Tennessee	32	x	3.0 <sup>f</sup>
Texas	28		3.3
Utah	40		..
Washington	42	x	..
Wisconsin	41 <sup>g</sup>	x	4.0
Wyoming	44-50		..

\* Tax base is \$3,600. Rate shown in ( ) is adjusted to \$3,000 tax base.

<sup>b</sup> Worked for covered Colorado employment for 5 years with earnings in excess of \$1,000/yr. and no benefits received.

<sup>c</sup> Limited to 2 years.

<sup>d</sup> Effective 1960 rates can increase .3% each year to a maximum of 4.5 for deficit balance employers.

<sup>e</sup> Maximum of 3.2 in 1960. Could go to 4.2 under certain conditions.

<sup>f</sup> Effective 7/1/60, 3.3; 7/1/61, 3.5; 7/1/62, 4.0.

<sup>g</sup> Effective 1/1/60-52½% of statewide average weekly wage.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. SCHAAF for today.

Mrs. Varallo for Mr. SULLIVAN for the week because of illness.

Mrs. Varrallo for Mr. DENNIS for today.

Mrs. Varrallo for Mr. CAPITOLA for today.

Mr. Tompkins for Mr. H. G. MILLER for the week.

Mr. Tompkins for Mr. AUKER for today.

Mr. Tomkins for Mr. BOWMAN for today because of illness.

Mr. Tompkins for Mr. BROWN for the week.

## SENATE MESSAGES

AMENDED HOUSE BILLS RECALLED FROM  
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1690.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

## HOUSE BILL No. 1721.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), extending the use of manufacturer's jobbers and dealer's registration plates.

Said bills having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bills was reconsidered in the House and the bills amended, in which amendments the Senate has concurred.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1690.

An Act amending "The Vehicle Code" approved April 29, 1955 (Act No. 32), by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless an unobstructed width of fifteen (15) feet remains.

## HOUSE BILL No. 1721.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), extending the use of manufacturer's jobber's and dealer's registration plates.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which read as follows:

## Approval of House Bill No. 1285.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg, August 20, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1285, Printer's No. 1367, entitled "An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended 'Selective Sales and Use Tax Act' defining or redefining certain words terms and phrases imposing tax on certain additional tangible personal property or services PROVIDING CERTAIN EXEMPTIONS PROVIDING FOR UNCOLLECTIBLE ACCOUNTS PROVISIONS CONCERNING REFUNDS increasing the rate of tax imposition and changing the bracket schedule and basis to reflect certain tax increases."

DAVID L. LAWRENCE.

## APPROPRIATION BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood Control purposes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 56, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

## APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET  
DURING SESSION

Mr. MIHM, asked and obtained permission for the Committee on Cities—Counties, Second Class and Second Class A to meet during the session of the House.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 389, entitled:

An Act amending the "Veterans Preference Act of 1957" approved July 8, 1957 (P. L. 557), excepting second class county employes from provisions relating to option retirement contribution rights.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 496, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the reimbursement payments on account of instruction in certain cases and including kindergarten units in deter-



mining the reimbursement fraction and the actual instruction expense definition.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 515, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 516, entitled:

An Act to define license and regulate resident and non resident auctioneers and apprentice auctioneers in this Commonwealth and revising consolidating and making the law uniform relative thereto creating the State Auctioneers Commission conferring certain powers and duties on the commission and on certain departments and officers of the State and local governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 607, entitled:

An Act authorizing the Governor under certain conditions to transfer certain funds to the Special Disaster Relief Fund to meet extreme emergencies and making appropriations necessary to effect such transfers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), including costs of grading sewage treatment plants and interest in computing reimbursable rentals.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1054, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the compensation of the State Board of Barber Examiners.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards, councils, commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for promotions for certain persons.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2120, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) prescribing an alternative method for fixing the rates of certain common carriers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2164, entitled:

An Act requiring the Department of Labor and Industry to fill and beautify abandoned quarries under certain conditions and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2303, entitled:

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60) including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS. Mr. Speaker, I would like to inter-rogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, is this a deficiency appropriation bill for obligations left over from last biennium?

Mr. POLEN. No, Mr. Speaker, this bill does not make any appropriation whatever.

Mr. TOMPKINS. The reason why the question was raised, this is an amendment to the Act of 1957 which indicated some deficiency.

Mr. POLEN. Mr. Speaker, the Act which is referred to, which this is amending, did make an appropriation and, if you will note, that is old material in the bill.

Mr. TOMPKINS. This is no appropriation?

Mr. POLEN. This is an old appropriation bill. There is no appropriation connected with this at all. It is changing the language of the Act so that the children committed after the discharge can also be put in foster homes and payment made in the same manner as those before commitment.

Mr. TOMPKINS. I would like to ask the same question in connection with the next bill and we could cover them both at once, if the Speaker will permit.

Mr. POLEN. Mr. Speaker, the same thing applies to the next bill, No. 2304.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read by agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled "As act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth \* \* \*" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2318, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to appeal from findings of the Civil Service Commission.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 142, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" further defining persons eligible for public assistance.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 175, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the purchase of public liability insurance.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 326, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that applicants for the position of policeman or fireman need not be residents of the borough.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act amending the act of June 25, 1947 (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" increasing the salaries of certain county officers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANDLESS offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, lines 3 and 4, by striking out "ten thousand four hundred dollars (\$10,400)" and inserting "nine thousand four hundred dollars (\$9,400)".

Amend Sec. 1 (Sec. 1), page 2, lines 5 and 6, by striking out "seven thousand six hundred dollars (\$7,600)" and inserting "six thousand six hundred dollars (\$6,600)".

Amend Sec. 1 (Sec. 1), page 2, line 8, by striking out "nine thousand six hundred dollars (\$9,600)" and inserting "eight thousand six hundred dollars (\$8,600)".

Amend Sec. 1 (Sec. 1), page 2, line 10, by striking out "nine thousand six hundred dollars (\$9,600)" and inserting "eight thousand six hundred dollars (\$8,600)".



Amend Sec. 1 (Sec. 1), page 2, lines 12 and 13, by striking out "seven thousand three hundred dollars (\$7,300)" and inserting "six thousand three hundred dollars (\$6,300)".

Amend Sec. 1 (Sec. 1), page 2, line 15, by striking out "nine thousand six hundred dollars (\$9,600)" and inserting "eight thousand six hundred dollars (\$8,600)".

Amend Sec. 1 (Sec. 1), page 2, line 17, by striking out "eight thousand four hundred dollars (\$8,400)" and inserting "seven thousand four hundred dollars (\$7,400)".

Amend Sec. 1 (Sec. 1), page 2, line 19, by striking out "ten thousand five hundred dollars (\$10,500)" and inserting "nine thousand five hundred dollars (\$9,500)".

Amend Sec. 1 (Sec. 1), page 3, line 4, by striking out "eleven thousand two hundred fifty dollars (\$11,250)" and inserting "ten thousand two hundred fifty dollars (\$10,250)".

Amend Sec. 1 (Sec. 1), page 3, line 6, by striking out "one thousand four hundred dollars (\$1,400)" and inserting "one thousand three hundred dollars (\$1,300)".

Amend Sec. 1 (Sec. 1), page 3, line 8, by striking out "eleven thousand two hundred fifty dollars (\$11,250)" and inserting "ten thousand two hundred fifty dollars (\$10,250)".

On the question,

Will the House agree to the amendments?

Mr. McCANDLESS. Mr. Speaker, referring to the amendments offered here on Senate Bill 474, I have amendments for each of the bills relating to the different class counties.

This is a third class county and the first bill called up. What these amendments do is to cut the increase in half right across the board. I feel that the amounts in the amendments are justified. I think the increase in the original bill is too much at this time. I would like to have a roll call vote on the amendments to this bill.

If they do not carry, I see no need to offer further amendments to the other bills for the reason that if the salaries are in line now in the different class counties, then the amendments should be placed against each of the bills in order to keep the counties in line.

That is all I will say on the matter at this time, but I would like to ask Members on both sides of the aisle to vote for these amendments.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Butler, Mr. McCandless?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. McCANDLESS. I shall.

Mr. McCANN. Mr. McCandless, on the amendments that you offer to Senate Bill 474, did we understand you clearly that the amendments you offer cut the raises as indicated in the bill exactly one-half. Is that right?

Mr. McCANDLESS. That is right.

Mr. McCANN. In other words, for each county office that is in Senate 474, where the raise is \$2,000, it is \$1,000, where it is \$1,000, it is \$500, or whatever the case may be?

Mr. McCANDLESS. That is correct.

Mr. McCANN. Mr. McCandless, will you tell the House that your amendments then are a straight fifty percent cut of the proposed increase for the salary of the county row offices of the third class counties. Is that correct?

Mr. McCANDLESS. Yes, sir.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

The amendments offered by the gentleman from Butler, Mr. McCandless, to Senate Bill 474 and, as indicated, the amendments to the other bills which would be offered

separately, would cut the increase as proposed in the pieces of legislation exactly in half.

I feel that some of the Members from the third class counties should also indicate their position, for I, personally, represent a sixth class county and I would oppose the amendments offered by the gentleman from Butler, Mr. Candless, when it applies to the bills cutting the amount in half.

The gentleman has asked for a roll call on these amendments. A roll call is most satisfactory, but I ask that the Members do oppose the amendments offered by the gentleman from Butler, Mr. Candless, even though I do not represent a third class county.

Mr. A. W. JOHNSON. Mr. Speaker, I too feel that I must vote against these amendments for this reason. I come from a sixth class county and, as I understand, Mr. McCandless wants to offer amendments to also cut the raises in that county in half. In other words, he is going to apply it to all the various counties. I do not know what the situation is existing in third class counties but I know, in respect to my own county, we have a fine, faithful group of office holders. They spend all week long in their offices. Some of them come from long distances in the wintertime on the icy roads; they come to the county seat every single day, and I feel, inasmuch as they have not had a raise since 1951, that in my own county the salary for the county commissioners of \$7 thousand, in view of the outstanding job they do in my county, is not a big raise.

Therefore, as far as I am personally concerned, and this is not a party position on the Republican side, I am going to say that I am going to vote against this particular amendment because it also affects the situation with respect to my own county which is a sixth class county.

Mr. BELL. Mr. Speaker, as one of those who represents a portion of a third class county, I rise in opposition to these amendments.

The bill which passed the Senate by a vote of 43 affirmative to 7 in the negative represents fair salaries for our third class county officials. I ask that everyone in this House oppose these amendments so that we can give a fair salary to our county officials.

Mr. McCORMACK. May I interrogate the Minority Leader, Mr. Johnson?

The SPEAKER. Will the Minority Leader permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, these amendments offered by the gentleman from Butler will cut the increase in salary one-half. Is that correct?

Mr. A. W. JOHNSON. From \$2,000 down to \$1,000. I believe that is correct.

Mr. McCORMACK. These county officials who are presently elected, would they be eligible for this increase?

Mr. A. W. JOHNSON. No, those who are standing for election right now, we are having row office elections pretty generally all over the state covering most of the offices in the November election. Those who take office next January would be entitled to a raise, if we vote them one.

Mr. McCORMACK. Now who provides the money for these increases?

Mr. A. W. JOHNSON. The taxpayers in the local communities and counties.

Mr. McCORAMCK. In order to meet these salary increases that are presently in this bill without this amendment, the money would have to be appropriated by additional taxation in most cases?

Mr. A. W. JOHNSON. It would have to be integrated into the budgets of several counties. That is correct.

Mr. McCORMACK. Thank you, that is all.

Mr. Speaker, rather than make a statement on each bill that will be amended in this line, I would like to say now that I am going to vote in favor of these amendments and, whether or not they are adopted, I am going to vote against the bills.

I think what we are doing here is wrong and I cannot debate the merits of the bill now because I have to confine myself to these amendments, but certainly I think we are doing an injustice to the taxpayers and it is going to have wide repercussions, I think that it behooves each one of us to carefully consider a vote against these amendments even though it does not apply to a particular county from which you were elected. We all know that amendments are coming up for bills affecting our particular counties and we want the help of men from other counties. So I say, I think we should vote for the gentleman's amendments and then if they are adopted we ought to kill the bills.

Mr. McCANN. Mr. Speaker, I have been asked, if it is permissible with the Chair and the Members of this House, to just tentatively lay aside these bills for a moment.

The Senate is waiting for one bill on the calendar which we would like to pass and have them sign immediately if I may do this.

The SPEAKER. If there is no objection, we can temporarily suspend action upon the bill now before the House. The Chair understands that the other Chamber wants to act on this bill.

The Chair hears no objection and consent is granted.

### BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 941, on page 25 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 941, entitled:

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—186

Agnew,	Gallagher,	McCann,	Riley,
Anderson,	Garlock,	McCormack,	Rovansek,
Arlene,	Gelfand,	McDonald,	Royer,
Ashton,	George,	McKeever,	Rudistill,
Balthaser,	Gibb,	McLaughlin,	Scarcelli,
Barton,	Goldstein,	Machmer,	Schuster,
Bell,	Goodrich,	Magee,	Schwartz,
Blair,	Gramlich,	Mahan,	Seltzer,

Boles,	Guthrie,	Markley,	Sherman,
Bonner,	Hamilton,	Maxwell,	Shupnik,
Boris,	Heffner,	Meholchick,	Silverman,
Bower,	Helm,	Merry,	Snider,
Branca,	Henzel,	Mihm,	Stank,
Brenninger,	Hocker,	Miller, B. Z.,	Steckel,
Breth,	Holliday,	Monroe,	Stevens,
Buchanan,	Holt,	Muldowney,	Stewart,
Burns,	Mullen,	Murray, J. J.,	Stimmel,
Capano,	Irvis,	Murray, P. G.,	Stone,
Cloffi,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Clarke,	Jenkins,	Murphy, P. J.,	Stroup,
Comer,	Jim,	Murray, H. P.,	Taylor,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobal,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennison,	Jump,	Needham,	Vanner,
Devlin,	Kamyk,	Nelson,	Verona,
Donahue,	Kee,	O'Dell,	Wall,
Dougherty,	Kelser,	O'Donnell, J. A., Jr.	Walsh,
Down,	Kernaghan,	O'Donnell, J. P.	Wargo,
Edwards,	Kessler,	Odoriso,	Weldner,
Ellberg,	Knecht,	Ogilvie,	Welsh,
Eshback,	Kooker,	O'Neill,	Wescott,
Eshleman,	Kornick,	Parlante,	Wheeler,
Ewing,	Korns,	Pashley,	Whittaker,
Farabaugh,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Fetterolf,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Filo,	Lamb,	Petrosky,	Willard,
Fineman,	Lee, A. M.,	Polaski,	Willaredt,
Floyd,	Lee, K. B.,	Polen,	Wood,
Flynn,	Leonard,	Prendergast,	Worley,
Foerster,	Light,	Price,	Wynd,
Fox,	Limper,	Pursley,	Yatron,
Frank,	Lippincott,	Reibman,	Yetter,
Frascella,	Lopresti,	Reidenbach,	Zimmerman,
Fulmer,	Lutty,	Renwick,	Andrews,
Galley,	McCandless,		Speaker

### NAYS—0

### NOT VOTING—22

Auker,	Dennis,	Mills,	Snare,
Bowman,	Donaldson,	Moran,	Strausser,
Brown,	Heavey,	Rigby,	Sullivan,
Capitolo,	Luigard,	Sakulsky,	Thompson,
Cianfrani,	McInroy,	Schaaf,	Wilt,
Cooper,	Miller, H. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

### WELCOME TO FOREIGN STUDENTS

The SPEAKER. The Chair notes the presence in the Hall of the House of two interesting guests who have very modestly taken their seats in the gallery.

One is Carole Munden, and if I do not say that right, it is the Yankee way of saying it. She is from Norrden, Surrey, England. She is a graduate of the Hockerill Training College, University of Cambridge, and is 20 years old. She begins teaching in October in London.

The other is David Hubert from Liege, Belgium. He is a student of Greek and Latin and speaks Dutch, English, German, and French, and he happens to be 18 years old.

Both Carole and David are visiting through the services of the World University and American Summer Program. Each is spending one week in nine different homes of members of the Hershey Rotary Club, and they are here as the guests of the gentlemen from Dauphin, Messrs. Hocker and Keiser.

### BILL ON SECOND READING

The SPEAKER. The Chair lays before the House, Senate



Bill No. 474 on page 7 of today's calendar upon which consideration was suspended in order to take up Senate Bill No. 941.

On the question recurring,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, the previous speaker on Senate Bill No. 474, Mr. McCandless of Butler County, requested a roll call on the amendments he has offered.

Just to reaffirm the position, I, of course, represent a sixth class county, and this same type of amendment would be available for the class of county I represent. I ask that the Members oppose the amendments offered by the gentleman from Butler, Mr. McCandless, to Senate Bill No. 474, Printer's No. 508.

Mr. McCANDLESS. Mr. Speaker, I would like to say this: my reason for offering these amendments, is that in my class county, the fifth class, this increase as proposed in the original bill is a percentage of around 33-1/3 per cent to almost 100 per cent on some of the offices.

I think that much of an increase is not justified. I hold in my hand here a clipping from a New York paper, stating this, under dateline of August 22, in the neighboring state of New Jersey.

Salary-Rise Law Stirs Up Unexpected Controversy as Taxpayers Balk. The three-man board in Sussex County wants to advance the salaries from \$5,000 to \$6,500:

The freeholders in New Jersey are similar to our county commissioners in Pennsylvania.

The Freeholders in Bergen, Cape May, Hunterdon, Middlesex, Monmouth, Union and Warren Counties have voted to retain their present pay. In Burlington and Somerset Counties pay rises were rejected under heavy pressure from voter groups. Atlantic, Gloucester, Cumberland and Salem Counties were excluded from the law because of the size of their respective boards.

I will not take time to read more of this clipping, but I want to say that if the present bill were in effect in our fifth class county, it would mean about one-fourth of a mill tax, the increase per year.

In addition to that, I know the employes of the entire county, under the courthouse and the institutional districts would be after a raise immediately.

Knowing the situation there, having served eight years as County Commissioner, I would say that before this would be through we would have an extra mill of tax on the taxpayers in my county.

That is the reason why I would like to have these amendments included, so I could vote for the bill. Otherwise, I am going to have to vote against all of these bills.

Mr. CIOFFI. Mr. Speaker, I, too, come from a fifth class county, and I will have to oppose these amendments.

For the benefit of the Members I have some figures here that may help each of us to decide as to the amount of increase. I have a breakdown given to me by the county commissioners. There would be seven persons who would enjoy the increase in salary in our county, which would bring it up to \$14,000. I will read these assessed valuations in order to help some of the people in the fifth class counties.

The real estate assessment in Lawrence County is \$102.8 million; the occupation assessment is \$8.3 million; the personal property assessment is \$22,406 million and the total assessed valuation is \$133,506,512.

The General Fund Budget based on four mills, the tax would be \$534,026.05. If the \$14,000 is added to that budget it brings it up to \$548,026.05, and brings the millage to 4.108 only.

That should help many of us to understand the position in which we find ourselves. I firmly believe the person who is doing a good job is worth the full amount, instead of only half. I believe the people in the community will take care of the rest. If a person is not qualified for the position, let the citizens decide. I feel the 50 percent reduction is not fair to any community that is trying to do a good job at home.

Mr. ISAACS. Mr. Speaker, I likewise arise to oppose the amendments.

In the county, a portion of which I represent, the row offices in question are servicing three-fifths of a million people. These are full-time jobs, and it is my contention the laborer is certainly worthy of his hire.

Mr. STROUP. Mr. Speaker, I rise to oppose the amendments offered by my good friend, Mr. McCandless from Butler County, and to speak and direct my attention and the attention of the Representatives of seventh class counties to the salaries of the seventh class counties.

In the schedule of seventh class counties we find that the prothonotaries would be increased from \$5,000 per year to \$6,000 per year. It is to be remembered that the \$6,000 is a base, and the prothonotary has to earn that before he gets the \$6,000. If he goes beyond \$6,000, then he gets 50 percent of the fees beyond that particular scale.

The prothonotary in the seventh class counties, I believe in all of them, serves also as the clerk of the Orphans' Court, the clerk of the Court of Quarter Sessions, and the clerk of the Court of Oyer and Terminer; consequently that all becomes his base salary for those services.

Insofar as the recorder of deeds is concerned in the seventh class counties, he is also the register of wills.

In 1951 when the increase was made in these salaries the recorder of deeds in some of the seventh class counties retained the salary of \$4,500 per year. There were some who went to \$5,000 through errors in the language in the bill. This advance in the present bill for seventh class counties would take the recorder and the register of wills to \$6,000. It is to be remembered also that is a base figure, and they must earn those fees in these counties. If the amounts should go beyond \$6,000, then the recorder-register is entitled to 50 percent over and above the \$6,000 figure. The only other fee the register of wills gets is the inheritance tax fee, and in our county, a seventh class county, that amounts to between \$450 to \$500 per year.

The treasurer's salary is not increased because that is set by law by the county commissioners.

The coroner's salary is all fees; actually there is no salary in that particular office.

The county commissioners are being advanced another \$1,200, raising them, I believe it is, to about \$3,400.

The district attorney in a seventh class county, and I am speaking of my own particular county, presently earns \$3,500 a year. The district attorney's office would be increased to \$4,700 a year, an increase of \$1,200. In these counties there is a very large load of work, and he has no assistants. It is true he is able to carry on some civil work, but a great deal of his time, I would say better than 60 percent of the time, is given to criminal

work; therefore I do not consider that an unreasonable increase.

The only other increase to which I would like to address your attention in seventh class counties are the sheriff's office, which goes from \$4,000 to \$5,200 per year, and the jury commissioner, from \$7.50 to \$12.50 per day.

A review of the salaries in these counties, and the fact that there has been no raise since 1951, and in relationship to the inflation which these offices have faced, would indicate to me and to most citizens who think reasonably upon the subject that the officers are entitled to an increase in salary, particularly when one remembers that one receives better qualified candidates if there is more money in this day and age to be offered.

I therefore rise to oppose the amendments, and ask Members of the seventh class counties in particular to vote against the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. McCANDLESS and TOMPKINS and were as follows:

#### YEAS—49

Agnew,	Horst,	Needham,	Tompkins,
Davis,	Jump,	Nelson,	Varnier,
Dennison,	Korns,	Perry, H. H.,	Verona,
Edwards,	Kubitsky,	Petrosky,	Walsh,
Eshleman,	Light,	Prendergast,	Wargo,
Farabaugh,	Lopresti,	Pursley,	Weldner,
Fox,	McCandless,	Reibman,	Whittaker,
Galley,	McCormack,	Reldenbach,	Williams, A. D., Jr.,
Garlock,	Mahan,	Rovansek,	Williams, E. S.,
Gibb,	Munley,	Rudisill,	Willard,
Goldstein,	Murray, H. P.	Seltzer,	Wood,
Goodrich,	Naugle,	Silverman,	Worley,
Gramlich,			

#### NAYS—132

Anderson,	Frascella,	Limper,	Polen,
Arlene,	Fulmer,	Lippincott,	Price,
Ashton,	Gallagher,	Lutty,	Renwick,
Balthaser,	Gelfand,	McCann,	Riley,
Barton,	George,	McDonald,	Royer,
Bell,	Guthrie,	McKeever,	Scarcelli,
Blair,	Hamilton,	McLaughlin,	Schuster,
Boles,	Heffner,	Machmer,	Schwartz,
Bonner,	Helm,	Magee,	Sherman,
Boris,	Henzel,	Markley,	Shupnik,
Bower,	Hocker,	Maxwell,	Snider,
Branca,	Holliday,	Meholchick,	Stank,
Brenninger,	Holt,	Merry,	Steckel,
Buchanan,	Irviss,	Mihm,	Stevens,
Burns,	Isaacs,	Miller, B. Z.,	Stewart,
Capano,	Jenkins,	Monroe,	Stimmel,
Cioffi,	Jim,	Muldowney,	Stone,
Clarke,	Johnson, A. W.,	Mullen,	Stoner,
Comer,	Johnson, R.,	Murphy, A. J., Jr.,	Stroup,
Crossin,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Trusio,
Devlin,	Kamyk,	Murray, P. G.,	Ujobai,
Donahue,	Kee,	Musto,	Varallo,
Dougherty,	Keiser,	O'Dell,	Wall,
Down,	Kernaghan,	O'Donnell, J. A.,	Welsh,
Ellberg,	Kessler,	O'Donnell, J. P.,	Wescott,
Eshback,	Knecht,	Odoriso,	Wheeler,
Fetterolf,	Kooker,	Ogilvie,	Willaredt,
Filo,	Kovolenko,	O'Neil,	Wynd,
Fineman,	Lamb,	Parlante,	Yatron,
Flynn,	Lee, A. M.,	Pashley,	Yetter,
Foerster,	Lee, K. B.,	Perry, P. E.,	Zimmerman,
Frank,	Leonard,	Polaski,	Andrews,

Speaker

#### NOT VOTING—27

Auker,	Curwood,	Lulgard,	Schaaf,
Bowman,	Dennis,	McInroy,	Snare,
Breth,	Donaldson,	Miller, H. G.,	Strausser,
Brown,	Ewing,	Mills,	Sullivan,
Capitolo,	Floyd,	Moran,	Thompson,
Cianfrani,	Heavey,	Rigby,	Wilt,
Cooper,	Kornick,	Sakulsky,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. CAPANO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 475, entitled:

An Act amending the act of June 25, 1947 (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" increasing the salaries of certain county officers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 476, entitled:

An act amending the act of June 25, 1947 (P. L. 972) entitled "An Act relating to the annual salaries of certain county officers of counties of the fifth class" increasing the salaries of certain county officers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" increasing and fixing the salaries of certain county officers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" increasing the salaries of certain employees and county officers.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "As act relating to the annual salaries and com-



pensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain officers in counties of the eighth class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 8 and 9, by striking out "three thousand four hundred dollars (\$3,400)" and inserting "two thousand five hundred dollars (\$2,500)."

Amend Sec. 1 (Sec. 1), page 2, line 15, by striking out "two thousand three hundred dollars (\$2,300)" and inserting "one thousand eight hundred dollars (\$1,800)."

Amend Sec. 1 (Sec. 1), page 2, by inserting between lines 17 and 18: "For services as an officer of an institution district, each commissioner in counties having a population of less than twelve thousand (12,000) shall receive an additional annual salary of six hundred dollars (\$600)."

Amend Sec. 1 (Sec. 1), page 2, line 20 and page 3, line 1, by striking out "TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400)" and inserting "one thousand five hundred dollars (\$1,500)."

On the question,

Will the House agree to the amendments to Section 1?

Mr. TOMPKINS. Mr. Speaker, the amendments which I have to offer apply to eighth class counties under 12,000 of which there are five in number in the state of Pennsylvania.

The amendments which I have offered are ones which my row offices have by written communications directed me to support in the amounts they think fair for counties of our size. They, in effect, increase the present salaries by \$300 each across the board. They include, they add the institutional districts and give them \$300 increase in institutional districts in those counties.

I would have much preferred if we could have worked out a scheme whereby we could have fixed the salaries of all counties with a floor and a ceiling and let the salary boards back home then fix their own salaries rather than to put the matter in our hands. I do not believe in the philosophy of our fixing local budgets at the Harrisburg level, although apparently the Constitution says that is a part of our duty to do so.

I am offering these amendments as those which my row offices support as what they think is the load that they can carry for increases in counties of our size. I know that there are almost hopeless differences between the five counties involved in this class. Nevertheless we feel that this is the economical amount which the finances of our communities can stand.

I would ask for a favorable vote on these amendments.

On the question recurring,

Will the House agree to the amendments?

A division was called for, less than a majority of the Members having voted in the affirmative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. GARLOCK offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 12 by striking out all of said line and inserting: "three thousand four hundred dollars (\$3,400)."

Amend Sec. 1 (Sec. 1), page 2, lines 14 and 15 by striking out the brackets before "one" in line 14 and after "(1,500)" in line 15.

Amend Sec. 1 (Sec. 1), page 2, line 15 by striking out "two thousand three hundred dollars (\$2,300)."

Amend Sec. 1 (Sec. 1), page 2, line 17 by striking out the brackets before "two" and after "(2,000)" and striking out "three thousand dollars (\$3,000)."

Amend Sec. 1 (Sec. 1), page 3, lines 3 and 4 by striking out "two thousand eight hundred dollars (\$2,800)" and inserting: two thousand four hundred dollars (\$2,400).

Amend Sec. 1 (Sec. 1), page 3, line 8 by striking out "twelve dollars and fifty cents (\$12.50)" and inserting: ten dollars (\$10).

On the question,

Will the House agree to the amendments?

Mr. GARLOCK. What these amendments do is leave the bill just as it was with the exception that they take the county commissioners out, do not give them an increase, and leave the sheriff maintain a \$1,200 increase, also allowing the D.A. an \$1,200 increase. It cuts the jury commissioners back to \$10 a day, the same as the county auditors, and I would ask everybody on both sides of the aisle to support these amendments.

Mr. GOODRICH. Will the gentleman from Fulton permit himself to be interrogated?

The SPEAKER. Will the gentleman from Fulton permit himself to be interrogated?

Mr. GARLOCK. I shall, Mr. Speaker.

Mr. GOODRICH. Mr. Speaker, does the gentleman's amendments apply to eighth class counties under 12,000 or over?

Mr. GARLOCK. Both, Mr. Speaker.

Mr. GOODRICH. Would the gentleman explain his amendments again? The amounts are different in the two classes of counties.

Mr. GARLOCK. It takes everything out, or cuts it back, all but the \$3,400 for the sheriff, \$2,400 for the D.A., and \$10 a day for the jury commissioners.

Mr. GOODRICH. There would be no increase for commissioners?

Mr. GARLOCK. That is right, Mr. Speaker.

Mr. GOODRICH. I thank the gentleman.

Mr. Speaker, I would ask the House to vote against the amendments. In the eighth class counties of over 12,000 the commissioners get \$2,000 a year. The request in the bill is for \$3,000 a year. Certainly the government of a county rests on the commissioners. In the eighth class counties, I feel the commissioners earn \$3,000 and I would like to see the amendment defeated.

On the question recurring,

Will the House agree to the amendments?

A division was called for, less than a majority of the Members having voted in the affirmative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act amending the act of May 6, 1874 (P. L. 125) en-

titled "An act regulating state tax on certain county offices" increasing the maximum amount of fees that certain offices may retain.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 481, entitled:

An Act amending the act of July 29, 1953 (P. L. 981) entitled "An act fixing the fees and mileage of the coroner in counties of the third class" increasing certain fees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act amending the act of January 7, 1952 (P. L. 1844) entitled as amended "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes" increasing certain fees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 483, entitled:

An Act amending the act of May 13, 1949 (P. L. 1328) entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class" increasing certain fees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 2, page 2, line 5, by striking out "two lane"

Amend Sec. 2, page 2, line 5, by inserting after "tunnels" "or lanes"

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. POLEN offered the following amendment:

Amend Title, page 1, first line of Title, by inserting after "tunnels" "or additional lanes".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 587, entitled:

An Act amending the act of February 9, 1901 (P. L. 6) entitled "An act to permit the classification by railroad railway and transportation corporations of their boards of directors or managers" providing that the classes of directors or managers of such companies be as nearly equal in number as possible.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 699, entitled:

An Act amending the act of June 4, 1943 (P. L. 886) entitled as amended "Municipal Employes' Retirement Law" defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 857, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for an assistant borough secretary.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

## APPROPRIATION BILL ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2326 on page 2 of today's calendar, Appropriation Bill on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the



Commonwealth interest on the public debt and for public schools for two years beginning June 1 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HOCKER offered the following amendments:

Amend Sec. 2, page 16, line 9, by inserting after "(Mont Alto)" 7,982,000

Amend Sec. 2, page 16, line 10, by inserting after "(Cresson)" 3,849,969

Amend Sec. 2, page 16, line 11, by inserting after "(Philadelphia)" 1,904,696

Amend Sec. 2, page 16, line 12, by inserting after "(Pittsburgh)" where it appears the second time 3,562,935

Amend Sec. 2, page 16, line 13, by inserting after "(Elizabethtown)" 1,985,400

Amend Sec. 2, page 16, line 14, by striking out all of said line

Amend Sec. 2, page 18, line 12, by inserting after "(Philadelphia)" 3,820,660

Amend Sec. 2, page 18, line 13, by inserting after "(Pittsburgh)" 3,623,475

Amend Sec. 2, page 18, line 14, by inserting after "Graterford" 5,124,150

Amend Sec. 2, page 18, line 15, by inserting after "Rockview" 3,226,000

Amend Sec. 2, page 18, line 16, by inserting after "Muncy" 1,315,125

Amend Sec. 2, page 18, line 17, by inserting after "Hill" 4,535,172

Amend Sec. 2, page 18, line 19, by inserting after "Huntingdon" 2,922,475

Amend Sec. 2, page 19, line 2, by striking out \$28,277,307" and inserting \$3,710,250

Amend Sec. 2, page 35, line 14, by inserting after "Hospital" 7,104,174

Amend Sec. 2, page 35, line 15, by inserting after "Hospital" 4,947,366

Amend Sec. 2, page 35, line 16, by inserting after "Hospital" 8,417,262

Amend Sec. 2, page 35, line 17, by inserting after "Hospital" 3,199,146

Amend Sec. 2, page 15, line 18, by inserting after "Institute" 6,100,000

Amend Sec. 2, page 35, line 19, by inserting after "Hospital" 5,296,028

Amend Sec. 2, page 35, line 20, by inserting after "Hospital" 4,435,976

Amend Sec. 2, page 36, line 1, by inserting after "Hospital" \$7,944,788

Amend Sec. 2, page 36, line 2, by inserting after "Center" 107,784

Amend Sec. 2, page 36, line 3, by inserting after "Hospital" 2,820,305

Amend Sec. 2, page 36, line 4, by inserting after "Hospital" 10,446,791

Amend Sec. 2, page 36, line 5, by inserting after "Hospital" 13,301,093

Amend Sec. 2, page 36, line 6, by inserting after "Hospital" 16,331,163

Amend Sec. 2, page 36, line 7, by inserting after "Hospital" 4,331,186

Amend Sec. 2, page 36, line 8, by inserting after "Hospital" 3,081,249

Amend Sec. 2, page 36, line 9, by inserting after "Hospital" 8,693,892

Amend Sec. 2, page 36, line 10, by inserting after "Hospital" 9,483,664

Amend Sec. 2, page 36, line 11, by inserting after "Hospital" 5,890,501

Amend Sec. 2, page 36, line 12, by inserting after "Hospital" 8,600,179

Amend Sec. 2, page 36, line 13, by inserting after "School" 664,028

Amend Sec. 2, page 36, line 14, by inserting after "Hospital" 2,700,000

Amend Sec. 2, page 36, line 15, by inserting after "Village" 3,813,589

Amend Sec. 2, page 36, line 16, by inserting after "Hospital" 10,051,344

Amend Sec. 2, page 36, line 17, by inserting after "School" 9,221,604

Amend Sec. 2, page 36, line 18, by striking out "\$165,206,471" and inserting \$8,223,359

Amend Sec. 2, page 38, line 12, by inserting after "Hospital" 2,258,667

Amend Sec. 2, page 38, line 13, by inserting after "Hospital" 1,370,467

Amend Sec. 2, page 38, line 14, by inserting after "Hospital" 1,594,892

Amend Sec. 2, page 38, line 15, by inserting after "Hospital" 1,843,014

Amend Sec. 2, page 38, line 16, by inserting after "Hospital" 2,606,628

Amend Sec. 2, page 38, line 17, by inserting after "Hospital" 1,153,456

Amend Sec. 2, page 38, line 18, by inserting after "Hospital" 1,469,654

Amend Sec. 2, page 38, line 19, by inserting after "Hospital" 2,386,572

Amend Sec. 2, page 39, line 1, by inserting after "Hospital" \$3,281,307

Amend Sec. 2, page 39, line 2, by inserting out "\$19,526,883" and inserting 1,562,226

On the question,

Will the House agree to the amendments?

Mr. HOCKER. I might say that these amendments pertain to the state-owned hospitals, correctional institutions, mental institutions and the hospitals under the Department of Health.

We on this side of the House are of the opinion that these hospitals should be spelled out line by line. We are taking nothing away from them as far as monetary value is concerned. All we are trying to do, we have had some experience in the past, I will not cite individual cases that we had the experience with because it is of no value, but we have had people in the past who have taken money from one institution, in other words they have robbed one institution and put it into another one. We on this side are of the opinion that everyone in this House who has a hospital in his particular district should be interested enough to see that that hospital, when there is an allocation made to it by the Department, that that much money should go there and remain there, so that is all we are doing, there is no change of money.

We are giving them just exactly what the budget calls for, but we are trying to tie this thing up that my hospital, Harrisburg, I will mention that, where we have one of the most able, I think, superintendents, who is a business-like gentleman who plans over a period of two years the work that he is going to do and does well with the money allocated to it, but I am trying to protect you in your own district, so that somebody, through political interference, or whatever you want to call it, does not come into your territory and take money from your hospital and put it into another territory or another hospital.

That in short is our amendment. We believe in them we believe that it is good business to do it that way. I hope that you will go along with these amendments.

Mr. POLEN. Mr. Speaker, the gentleman from Dauphin, Mr. Hocker, is correct that he has not changed the total amounts of these appropriations. He has, however, put them on a line by line basis, and perhaps there might be some merit in what he says.

However, in the overall picture we want to eliminate what has taken place in practically every Session on the question of deficiencies. One hospital will not spend the money allocated to it, and another one, due to increased case load, will need additional funds and it is necessary to lapse money in one case and appropriate money for a deficiency in another.

It is the position of the administration and the budget office that they can better take care of the situation by making allocations based on the need of the particular hospitals. I call particular attention to the Norristown State Hospital which has, at the present time, a case load in excess of its capacity. They feel that the amount allocated, of \$13,301,093 is not sufficient for the operation of that particular hospital, and if their case load would continue at the same rate as it is now, that would be correct.

The system of one-sum appropriations does give to the executive branch certain powers, but it gives a flexibility that will permit them to make the allocations in line with the case load and the need of the different institutions.

Mr. Speaker, I ask that the Members of the House vote down these amendments.

Mr. HOCKER. Mr. Speaker, I would only say this to the gentleman, Mr. Polen, that if you are not taking care of Norristown to the full extent under the present case load, then you are cheating Norristown, and some other hospital will have to suffer because of this.

I disagree with the gentlemen's thinking on that. Some other hospital some place else is going to have something taken away from it to take care of that increase. I say this to you in all sincerity, that I do not know how any superintendent of a hospital can operate if he does not know how much money he is going to receive, and is always at the command of the people in Harrisburg as to how much he gets.

So, Mr. Speaker, I disagree with the gentleman's thinking on that. I would like to say, and you know this, and I have every reason to believe, that we will be back here next year in Session. However, that depends on the thinking of the people of the Commonwealth. But in any event, we will be here in 1961, five months before this biennium is up, and, if there is any adjustment to be made, it should be made by the Members of this General Assembly, not by some department up here on the Hill.

I still urge you to vote for these amendments.

Mr. THOMAS H. W. JONES. Mr. Speaker, I have listened with interest to the remarks of the gentleman from Dauphin, Mr. Hocker, and also the Chairman of the Appropriations Committee.

I happen to come from Norristown, the hospital which has been under discussion. I would like to interrogate the gentleman from Dauphin very briefly.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. HOCKER. I shall.

Mr. T. H. W. JONES. Mr. Speaker, will the gentleman tell us what the Norristown State Hospital received last year?

Mr. HOCKER. If I get my budget, I can tell the gentleman, Mr. Jones. I do not think it is pertinent. I only say that if they are not giving Norristown what they asked for as that which they can carry, they are short-changed.

I have Norristown here, I will try to run it down quickly for you.

Norristown State Hospital, the amount available in 1957-1959 was \$12,313,000.

Mr. T. H. W. JONES. If I understand the gentleman correctly, the Norristown State Hospital, under the amendments which were just offered, would receive over \$13 million, is that right?

Mr. HOCKER. Yes.

Mr. T. H. W. JONES. So that this indicates an increase of \$1 million, is that true?

Mr. HOCKER. That is right.

Mr. T. H. W. JONES. Thank you, Mr. Hocker, that is all.

I am not familiar with the general percentage increase that was made in the budget of all the state hospitals, but I would presume that Norristown is not out of line with the others.

Accordingly, if the Chairman of Appropriations has some reason to think otherwise, I would appreciate his letting me know. I do not wish to commit myself now on the propriety or impropriety of the amounts given to each hospital, but I do approve of a line budget as opposed to a general budget, or rather a general entry in the budget, and, accordingly, I am going to sit down and let these amendments go through. I will support them.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. HOCKER and WOOD and were as follows:

## YEAS—89

Agnew,	Goldstein	Kubitsky,	Steckel,
Ashton,	Goodrich,	Lee, A. M.,	Stevens,
Barton,	Gramlich,	Lee, K. B.,	Stewart,
Bell,	Guthrie,	Light,	Stimmel,
Blair,	Heffner,	Lippincott,	Stoner,
Boris,	Helm,	McCandless,	Stroup,
Bower,	Henzel,	Magee,	Tompkins,
Brenninger,	Hocker,	Mahan,	Ujobal,
Buchanan,	Holliday,	Markley,	Varnar,
Davis,	Horst,	Merry,	Wall,
Dengler,	Isaacs,	Miller, B. Z.,	Weidner,
Dennison,	Johnson, A. W.,	Murphy, P. J.,	Wescott,
Donahue,	Johnson, R.,	Murray, H. P.,	Whittaker,
Down,	Jones, T. H. W.,	Murray, P. G.,	Williams, A. D., Jr.,
Edwards,	Jump,	Naugle,	Williams, E. S.,
Eshback,	Kee,	O'Dell,	Willard,
Eshleman,	Kelser,	Odoriso,	Willaredt,
Ewing,	Kernaghan,	Ogilvie,	Wilt,
Fetterolf,	Kessler,	Price,	Wood,
Fox,	Knecht,	Pursley,	Worley,
Fulmer,	Kooker,	Royer,	Wynd,
George,	Korns,	Seltzer,	Zimmerman,
Gibb,			

## NAYS—97

Anderson,	Galley,	Meholchick,	Renwick,
Arlene,	Gallagher,	Mihm,	Rovasek,
Balthaser,	Garlock,	Monroe,	Rudisil,
Boles,	Gelfand,	Muldowney,	Scarcelli,
Bonner,	Hamilton,	Mullen,	Schuster,
Branca,	Holt,	Munley,	Schwartz,
Breth,	Irviss,	Murphy, A. J., Jr.	Sherman,
Burns,	Jenkins,	Murray, J. J.,	Shupnik,
Capano,	Jim,	Musto,	Silverman,
Cloffi,	Jones, F. R.,	Needham,	Snider,
Clarke,	Kamyk,	Nelson,	Stank,
Comer,	Kornick,	O'Donnell, J. A.,	Stone,
Crossin,	Kovolenko,	O'Donnell, J. P.	Taylor,
Curwood,	Lamb,	O'Neill,	Trusio,
Devlin,	Leonard,	Parlante,	Varallo,
Dougherty,	Limper,	Pashley,	Verona,
Eilberg,	Lopresti,	Perry, H. H.,	Walsh,
Farabaugh,	Lutty,	Perry, P. E.,	Wargo,
Filo,	McCann,	Petrosky,	Welsh,
Flineman,	McCormack,	Polaski,	Wheeler,
Floyd,	McDonald,	Polen,	Yatron,



Flynn,  
Foerster,  
Frank,  
Frascella,

McKeever,  
McLaughlin,  
Machmer,  
Maxwell,

Prendergast,  
Reibman,  
Reidenbach,

Yetter,  
Andrews,  
Speaker

## NOT VOTING—22

Auker,  
Bowman,  
Brown,  
Capitolo,  
Cianfrani,  
Cooper,

Dennis,  
Donaldson,  
Heavey,  
Luigard,  
McInroy,  
Miller, H. G.,

Mills,  
Moran,  
Rigby,  
Riley,  
Sakulsky,

Schaaf,  
Snare,  
Strausser,  
Sullivan,  
Thompson,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. GOLDSTEIN. Will the gentleman from Washington, Mr. Polen, consent to be interrogated?

The SPEAKER. Will the gentleman from Washington consent to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, we refer to page 38 of House Bill No. 2326.

Mr. POLEN. I have the page, Mr. Speaker.

Mr. GOLDSTEIN. The Governor's Budget provides for \$6,394,824 for the Legislative Department. What is the total amount provided for under this bill for the Legislature?

Mr. POLEN. Mr. Speaker, I am not certain that I have that information here but I can easily get it. Just a minute until I refer to my notes.

Mr. Speaker, I will have to go to my office if the gentleman would like the information right now.

Mr. GOLDSTEIN. Well, Mr. Speaker, is it not true that House Bill 2326 provides \$500,000 or \$600,000 more than the Governor's Budget?

Mr. POLEN. That is correct. I again say I do not have my notes here. I did not know we were going to debate the bill but I can easily get them.

Mr. GOLDSTEIN. I do not want to debate the bill, Mr. Speaker. I want to get some information so that if amendments are necessary we can prepare them.

Mr. Speaker, if this particular bill provides for \$500,000 or \$600,000 more in funds, does not this bill contemplate the employment under Senate Bill No. 309 for the additional funds?

Mr. POLEN. It does, Mr. Speaker. It incorporates the increases contained in 309.

Mr. GOLDSTEIN. Mr. Speaker, why did not the Appropriations Committee make this a separate bill?

Mr. POLEN. Mr. Speaker, I presume the gentleman is referring to the Legislative expenses?

Mr. GOLDSTEIN. Mr. Speaker, I am referring to this particular language in House Bill No. 2326. You refer to certain Acts of the Legislature specifically and then you use the words "An Act." Is it not true that "An Act" means the contemplated passage of Senate Bill 309 in the future?

Mr. POLEN. That is correct, Mr. Speaker. We did not have the Act number because it had not been then signed by the Governor to become an Act.

Mr. GOLDSTEIN. Mr. Speaker, do you think this is the proper legislative procedure to include in a revenue measure, something that has not been passed?

Mr. POLEN. Mr. Speaker, it has been done in the past. In fact, many times we have left blank places for the amounts.

Mr. GOLDSTEIN. Mr. Speaker, then I want to reiterate this question again. This particular House Bill 2326 contemplates the passage of Senate Bill 309 with additional funds of \$500,000, \$600,000?

Mr. POLEN. Mr. Speaker, it is correct that it includes the increases provided in 309, and if the gentleman will give me a couple of minutes I will give him the exact amount of the increases, if he desires, or give it to him privately. I have it worked up but I do not have it here.

Mr. GOLDSTEIN. If the gentleman from Washington, who is always cooperative, would do this for me, if he would show me how to make the amendments to eliminate those figures from the bill, I will present those amendments tomorrow on third reading.

Mr. POLEN. I will be glad to confer with the gentleman, Mr. Speaker, and show him how it can be amended.

Mr. GOLDSTEIN. Thank you very much, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The third to ninth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. HELM IN THE CHAIR

## BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 274, on page 9 of today's calendar, bills on final passage recalled from the Governor.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 274, entitled:

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Agnew,  
Anderson,  
Arlene,  
Ashton,  
Balthaser,  
Barton,  
Bell,  
Blair,  
Boies,  
Bonner,  
Boris,  
Bower,  
Branca,  
Brenninger,  
Breth,  
Buchanan,  
Burns,  
Capano,  
Cioffi,  
Clarke,  
Comer,  
Crossin,  
Curwood,  
Davis,

Gallagher,  
Garlock,  
Gelfand,  
George,  
Gibb,  
Goldstein,  
Goodrich,  
Gramlich,  
Guthrie,  
Hamilton,  
Heffner,  
Helm,  
Henzel,  
Holliday,  
Holt,  
Horst,  
Irviss,  
Isaacs,  
Jenkins,  
Jim,  
Johnson, A. W.,  
Johnson, R.,  
Jones, F. R.,  
Jones, T. H. W.,

McCormack,  
McDonald,  
McKeever,  
McLaughlin,  
Machmer,  
Magee,  
Mahan,  
Markley,  
Maxwell,  
Meholchick,  
Merry,  
Mihm,  
Miller, B. Z.,  
Monroe,  
Muldowney,  
Mullen,  
Munley,  
Murphy, A. J., Jr.  
Murphy, P. J.,  
Murray, H. P.,  
Murray, J. J.,  
Murray, P. G.,  
Musto,  
Naugle,

Rovansek,  
Royer,  
Rudisill,  
Scarcelli,  
Schuster,  
Schwartz,  
Seltzer,  
Sherman,  
Shupnik,  
Silverman,  
Snider,  
Stank,  
Steckel,  
Stevens,  
Stewart,  
Stimmel,  
Stone,  
Stoner,  
Stroup,  
Taylor,  
Trusio,  
Ujobal,  
Varallo,  
Varner,

Dengler,  
Dennison,  
Devlin,  
Donahue,  
Dougherty,  
Down,  
Edwards,  
Ellberg,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,  
Fulmer,  
Galley,

Jump,  
Kamyk,  
Kee,  
Keiser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,  
Kornick,  
Korns,  
Kovolenko,  
Kubitsky,  
Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Light,  
Limper,  
Lopresti,  
Lutty,  
McCandless,  
McCann,

Needham,  
Nelson,  
O'Dell,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Odorisio,  
Ogilvie,  
O'Neill,  
Parlante,  
Pashley,  
Perry, H. H.,  
Perry, P. E.,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,  
Renwick,  
Riley,

Verona,  
Wall,  
Walsh,  
Wargo,  
Weidner,  
Welsh,  
Wescott,  
Wheeler,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willard,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—3

Hocker, Lippincott, Tompkins,

## NOT VOTING—21

Auker,  
Bowman,  
Brown,  
Capitolo,  
Cianfrani,  
Cooper,

Dennis,  
Donaldson,  
Heavey,  
Luigard,  
McInroy,

Miller, H. G.,  
Mills,  
Moran,  
Rigby,  
Sakulsky,

Schaaf,  
Snare,  
Strausser,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. McCORMACK. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCORMACK asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "section one."

Amend Sec. 1, page 2, line 1, by striking out "section one."

Amend Sec. 1, page 2, line 2, by inserting after "amended": "by adding a new section."

Amend Sec. 1 (Sec. 1), page 2, lines 3 to 19, page 3, lines 1 and 2, by striking out all of said lines, and inserting: "Section 1C. Notwithstanding the requirements of uniformity, income taxes on persons may be levied and collected under general laws which provide for graduated

or graded rates and exemptions, provided the rate of tax shall not exceed six per cent. An income tax on persons, and a general tax on sales or use of personal property shall not be in effect at the same time."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 740, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) prescribing powers and duties of the Department of Health relating to radioactive materials.

On the question,

Will the House agree to the bill on final passage?

## BILL RECOMMENDED

Mr. WELSH. Mr. Speaker, I move that this bill be recommended to the Committee on Public Health and Sanitation.

The motion was agreed to.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1450, an page 11 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1450, entitled:

An Act relating to the control of occupational diseases and their prevention \* \* \* providing that the Department of Health shall administer the act and providing that reports made under this act shall be confidential and providing for civil relief.

On the question,

Will the House agree to the bill on final passage?

## BILL RECOMMENDED

Mr. CAPANO. Mr. Speaker, I move that this bill be recommended to the Committee on Public Health and Sanitation.

The motion was agreed to.

## BILL ON FINAL PASSAGE POSTPONED

## TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1376, Printer's No. 632, on page 14 of today's calendar, bills on final passage postponed.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 268, entitled:

An Act defining and regulating the conduct and activities of officers and employees of the Commonwealth members



officers and employes of the General Assembly and first partnerships Associations and corporations in which such persons are members or stockholders forbidding certain situations which may involve a conflict of interest \* \* \*

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on State Government for the purpose of amendment.

On the question,

Will the House agree to the motion?

Mr. McCORMACK. Mr. Speaker, I understand that this motion to recommit is for the purpose of amendment.

This bill has been on the calendar for a long time. Everybody knows and everybody has had the opportunity to decide whether or not the Commonwealth of Pennsylvania should have a bill like this become law. I say if there are amendments to be offered, the amendments should be offered in the same fashion as other amendments to bills that appear on the calendar. There is absolutely no necessity for the bill to be recommitted to the Committee on State Government for amendment or further study. It is a platform pledge of the Democratic party and I feel that we should vote this motion down so that the bill can be debated on third reading and either pass or fail to pass.

Mr. STEWART. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the gentleman from Greene, the Majority Leader, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. STEWART. Mr. Speaker, do I have the gentleman's assurance that this bill will be reported out of committee?

Mr. McCANN. Mr. Speaker, the Chairman of the Committee on State Government, Mr. Schwartz, has in his possession more than one set of amendments to House Bill 268, Printer's No. 1123. Regarding the motion to recommit that I have made on this bill, to send it back to the Committee on State Government which worked on this bill from the time of its introduction, and worked with a series of amendments to the bill, I expect the Chairman of that committee to consider the amendments that have been given to him, plus any other amendments that may or may not be offered to this particular piece of legislation.

The decision of the Committee regarding reporting it out in its amended form, or whatever other shape, will be the decision of the Committee.

Mr. STEWART. Then I take it, Mr. McCann, you give me no personal assurance yourself, is that correct?

Mr. McCANN. Mr. Speaker, I do not have the power to assure that it would come out instantly or not come out. I can assure you that I can vote for the bill in its present form or amended form.

Mr. STEWART. Well, as Majority Leader, Mr. McCann, would you use your personal influence to see that this bill comes out?

The SPEAKER pro tempore. That is an improper interrogation. The gentleman will not answer the question.

Mr. McCANN. Thank you, Mr. Speaker, very kindly.

Mr. STEWART. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Schwartz.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Schwartz permit himself to be interrogated?

Mr. SCHWARTZ. I shall, Mr. Speaker.

Mr. STEWART. Mr. Schwartz, may I ask your personal assurance that this bill will be reported out of committee?

Mr. SCHWARTZ. At least count the Committee on State Government consisted of 19 members and we have a very independent Committee.

Mr. STEWART. How many members of that committee, Mr. Schwartz, are Democrats?

Mr. SCHWARTZ. I don't think we are supposed to discuss on the floor of the House what happens in committee.

The SPEAKER pro tempore. I am sure the gentleman has the answer to that if he has his book of Committee members in his desk.

Mr. STEWART. I do not have it, Mr. Speaker.

Mr. Schwartz, is it true that your party is committed to legislation of this type?

Mr. SCHWARTZ. I believe that I can depend on Mr. McCormack's remarks of today.

Mr. STEWART. I think, Mr. Schwartz, I will leave you for a while and make a brief statement on behalf of this bill. Thank you, Mr. Schwartz.

Mr. Speaker, last week I introduced a conflict of interest bill concerning the city of Philadelphia. I think the same bill, in essence, is before this House—

The SPEAKER pro tempore. The Chair will inform the gentleman that the only question before the House is on the motion to recommit. The gentleman will confine his remarks to the motion to recommit the bill.

Mr. STEWART. I will, Mr. Speaker. I believe this bill will take the profit out of politics and, therefore, I ask the Members of this House to oppose this motion.

On the question, recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. McCORMACK and STEWART and were as follows:

#### YEAS—134

Anderson,	Garlock,	Markley,	Rovanse,
Arlene,	Gelfand,	Maxwell,	Royer,
Ashton,	George,	Meholchick,	Rudisill,
Balthaser,	Hamilton,	Mihm,	Scarcell,
Barton,	Helm,	Miller, B. Z.,	Schuster,
Boles,	Henzel,	Monroe,	Schwartz,
Bonner,	Hocker,	Mullen,	Sherman,
Branca,	Holt,	Munley,	Shupnik,
Brenninger,	Irvig,	Murphy, A. J., Jr.,	Silverman,
Breth,	Isaacs,	Murphy, P. J.,	Snider,
Burns,	Jim,	Murray, H. P.,	Stank,
Capano,	Johnson, A. W.,	Murray, J. J.,	Steckel,
Cioffi,	Johnson, R.,	Murray, P. G.,	Stimmel,
Clarke,	Jones, F. R.,	Musto,	Stone,
Comer,	Jones, T. H. W.,	Naugle,	Stroup,
Crossin,	Jump,	Needham,	Taylor,
Curwood,	Kamyk,	Nelson,	Tompkins,
Davis,	Kelser,	O'Donnell, J. A.,	Trusio,
Dengler,	Kernaghan,	O'Donnell, J. P.,	Ujobal,
Devlin,	Kooker,	Odorisio,	Varallo,
Donahue,	Korns,	Ogilvie,	Varner,
Dougherty,	Kovolenko,	O'Neil,	Verona,
Down,	Kubitsky,	Parlante,	Wall,
Edwards,	Lamb,	Pashley,	Wargo,
Ellberg,	Lee, A. M.,	Perry, H. H.,	Weidner,
Ewing,	Leonard,	Perry, P. E.,	Welsh,
Farabaugh,	Lippincott,	Petrosky,	Wescott,

Filo,  
Fineman,  
Flynn,  
Foerster,  
Frank,  
Frascella,  
Gallagher,

Lopresti,  
Lutty,  
McCann,  
McDonald,  
McKeever,  
McLaughlin,  
Machmer,

Polaski,  
Polen,  
Prendergast,  
Reidenbach,  
Renwick,  
Riley,

Wheeler,  
Willaredt,  
Wood,  
Yatron,  
Yetter,  
Andrews,  
Speaker

## NAYS—39

Agnew,  
Bell,  
Blair,  
Bower,  
Buchanan,  
Dennison,  
Eshback,  
Eshleman,  
Fetterolf,  
Floyd,  
Fox,  
Fulmer,

Galley,  
Gibb,  
Goldstein,  
Gramlich,  
Guthrie,  
Holliday,  
Horst,  
Jenkins,  
Kee,  
Kessler,  
Kornick,  
Lee, K. B.,

Light,  
Limper,  
McCandless,  
McCormack,  
Magee,  
Mahan,  
Merry,  
Muldowney,  
O'Dell,  
Price,  
Pursley,  
Reibman,

Seltzer,  
Stevens,  
Stewart,  
Stoner,  
Walsh,  
Whittaker,  
Williams, A.D., Jr.,  
Williams, E. S.,  
Willard,  
Wilt,  
Worley,  
Wynd,  
Zimmerman,

## NOT VOTING—26

Auker,  
Boris,  
Bowman,  
Brown,  
Capitolo,  
Cianfrani,  
Cooper,

Dennis,  
Donaldson,  
Goodrich,  
Heavey,  
Heffner,  
Knecht,

Luigard,  
McInroy,  
Miller, H. G.,  
Mills,  
Moran,  
Rigby,

Sakulsky,  
Schaaf,  
Snare,  
Strausser,  
Sullivan,  
Thompson,

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1755, entitled:

A Supplement to the act of April 1, 1863 (P. L. 2133), entitled "An act to accept the grant of Public Lands, by the United States, to the several states for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine, for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University, for the School of Medicine and for the School of Veterinary Medicine.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia, Pennsylvania, for the general maintenance and operation of the University and for the School of Medicine.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy, Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia.



Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus, supplies and equipment.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1779, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, in Delaware County, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2230, entitled:

An Act making an appropriation to the Department of Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business, industry and commerce in the respective counties of the Commonwealth.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Baily Foundation for Heart and Great Bessel Research.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty seven (P. L. 1987), and making an appropriation," and for the repair, improvement or additions of certain sewage treatment plants.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing



bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis, treatment and study of cerebral palsy at St. Christopher's Hospital.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans assistance.

Mr. POLEN from the Committee on Appropriations, reported as amended House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2225, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to counties and cities for juvenile delinquency programs.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2231, entitled:

An Act making an appropriation to the Department of Public Instruction to provide grants for improving library services throughout the Commonwealth.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2305, entitled.

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in

accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Mr. POLEN from the Committee on Appropriations, reported as amended, House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.



Mr. NEEDMAN from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate Bill No. 791, entitled:

An Act amending the act of July 3, 1947 (P. L. 1242) entitled "An act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits" authorizing additional appropriations by cities to police and firemen's pension funds.

Mr. NEEDHAM from the Committee on Cities—Counties Second and Second Class A, reported as committed, Senate Bill No. 792, entitled:

An Act reenacting and amending the act of August 17, 1951 (P. L. 1254) entitled "An act fixing the minimum pensions of policemen and firemen in certain cities" taking advantage of amendment to section 11 of Article III of the Constitution and increasing the minimum amount.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the develop-

ment and expansion of business, industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Bessel Research.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty seven (P. L. 1987), and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis, treatment and study of cerebral palsy at St. Christopher's Hospital.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans assistance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2225, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to counties and cities for juvenile delinquency programs.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2231, entitled:

An Act making an appropriation to the Department of Public Instruction to provide grants for improving library services throughout the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improve-



ments designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 791, entitled:

An Act amending the act of July 3, 1947 (P. L. 1242) entitled "An act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits" authorizing additional appropriations by cities to police and firemen's pension funds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 792, entitled:

An Act reenacting and amending the act of August 17, 1951 (P. L. 1254) entitled "An act fixing the minimum pensions of policemen and firemen in certain cities" taking advantage of amendment to section 11 of Article III of the Constitution and increasing the minimum amount.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to

call up out of order House Bill No. 348 on page 14 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 348, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the basis for pensions.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. WALSH. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 802 on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 802, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

On the question,

Will the House agree to the bill on third reading?

Mr. McKEEVER asked unanimous conse to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Section 1, Page 2, Line 5, by striking out the word "any" before the word "service" and inserting in lieu thereof the words "HIS PRINCIPAL".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2322 on page 22 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," providing for additional payments to certain school districts.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts \* \* \*," providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 74 on page 23 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1954 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Municipal Corporations for the purpose of possible amendment.

The motion was agreed to.

#### BILLS PASSED OVER

The remaining bills on today's calendar were passed over at the request of Mr. McCANN.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 875.

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind \* \* \*" further regulating leases made to blind persons.

HOUSE BILL No. 876.

An Act amending "The Administrative Code of 1929"



approved April 9, 1929 (P. L. 177) further regulating relations between the State Council for the Blind and organizations for the blind.

#### HOUSE BILL No. 941.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

#### HOUSE BILL No. 1035.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing that the civil service provisions of the act shall not apply to the retirement of police and firemen.

#### HOUSE BILL No. 1360.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) giving powers to and imposing duties on the Department of Health in connection with rehabilitation of persons with hearing or speech defects.

#### HOUSE BILL No. 1579.

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) requiring that the commission permit certain promotions.

With the information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 38.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

#### SENATE BILL No. 41.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" authorizing appropriations for handling storage and distribution of surplus foods.

#### SENATE BILL No. 148.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing the limitation on appropriations which may be made for agricultural extension work.

#### SENATE BILL No. 637.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the amount the commissioners may spend in contracts without written bids.

#### SENATE BILL No. 683.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "Insurance Company Law of 1921" further regulating proceedings to merge and consolidate mutual insurance company.

#### SENATE BILL No. 772.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" increasing the limitations on appropriations which may be made for agricultural extension work.

#### SENATE BILL No. 811.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the membership of county board of school directors.

#### SENATE BILL No. 833.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the selection of supervising principals of joint organizations of school districts.

#### SENATE BILL No. 941.

An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 283 and 1034.

Amended House Bill returned for concurrence No. 1.

### BILLS INTRODUCED AND REFERRED

By Messrs. H. H. PERRY, WOOD, GARLOCK

and LIGHT.

HOUSE BILL No. 2337.

An Act making an appropriation to the Department of Agriculture for the purpose of a livestock grading program.

Referred to the Committee on Appropriations.

By Messrs. CAPANO, WARGO, POLEN,

LOPRESTI, WELSH, FLYNN, RENWICK and

Mrs. MUNLEY, Messrs. PETROSKY, BONNER,

O'NEIL and MEHOLCHICK. HOUSE BILL No. 2338.

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employees under Shipping Articles."

Referred to the Committee on Workmen's Compensation.

### RESOLUTION INTRODUCED AND REFERRED

By Messrs. LAMB, PRENDERGAST

and GOLDSTEIN.

RESOLUTION No. 105.

In the House of Representatives, August 24, 1959.

Demands on local governmental bodies for more services is one of the many factors in increasing the cost of operating local governments. With rising costs comes the need for greater revenue in the form of higher taxes on real estate.

Constitutional provisions, statutes and customs grant many tax exemptions on real estate for State activities and local governments and many others. Therefore, the burden of supporting the government operations falls mainly on the real estate owners not entitled to exemption.

Continued and increasing requests are being made to local assessment boards for exemption of certain real estate by those under present law entitled to such.

Recent decisions of our local and appellate courts indicate a trend to enlarge the area of exemptions.

Since the limit of reasonable taxation has been reached, there is a need to determine what property escapes proper

taxation and the effect of tax exemption laws on financing local government requirements as well as easing the burden on property owners presently supporting the tax burden; therefore, be it

Resolved, That the Joint State Government Commission be directed to study the tax exemption laws and their effect on local taxation; and, be it further

Resolved, That the Joint State Government Commission report its findings and recommendations, together with drafts of such legislation as may be necessary, to carry its recommendations into effect, to the next regular session of the General Assembly.

Referred to the Committee on Rules.

#### COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 131-A, Tuesday, August 25, at 11:00 a.m.

CITIES—THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Tuesday, August 25, at 11:00 a.m.

ELECTIONS AND APPORTIONMENT, Mr. Stone, Chairman, Room 323, Tuesday, August 25, at 10:00 a.m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, August 25, at 11:00 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 131-D-1, Tuesday, August 25, at 10:00 a.m.

MINES AND MINERAL INDUSTRIES, Mr. Rovansek, Chairman, Room 131-E, Tuesday, August 25, at 10:30 a.m.

PROFESSIONAL LICENSURE, Mr. Boies, Chairman, Room 131-B, Tuesday, August 25, at 11:00 a.m.

STATE GOVERNMENT, Mr. Schwartz, Chairman, Room 522, Tuesday, August 25, at 11:00 a.m.

WELFARE, Mr. Kamyk, Chairman, Room 331, Tuesday, August 25, at 11:00 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, August 25, at 9:15 a.m.

All times are Daylight Saving Time.

#### ADJOURNMENT

Mr. J. J. MURRAY. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 25, 1959 at 11:00 a.m. EST.

The motion was agreed to, and (at 7:00 p.m. EST.) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, AUGUST 25, 1959.

No. 84.

## SENATE

TUESDAY, AUGUST 25, 1959.

The Senate met at 11:30 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. IRVIN F. WOODROW, Pastor of The Church of Christ, Somerset, offered the following prayer:

Let us pray.

Almighty God, the Father of our Lord, Jesus Christ, help us to remember that it is in Thee that we live and move and have our being. We are constrained to ask, as did the shepherd king of old, "What is man that Thou art mindful of him?"

Thou hast made us to have dominion over all the works of Thy hands. Help us, therefore, to live to our responsibilities by conducting ourselves so that we shall hear from Thee, "Well done Thou faithful servant," for we know that Thy blessing means more than the praises of men.

Help us to remember the many sacrifices of the Senators who have sat in these same seats in the years gone by. May we so act that we shall never lose the benefits of the sacrifices that they have made to give unto us this democratic way of governing ourselves.

May we not fail to recognize that while the problems of today differ from the problems of yesterday, the ones before us are as hard to solve as they were in the past. Give unto these Senators the wisdom to solve them and to do so in a way that we may go forward with Thee, in Jesus' Name. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency,

the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE STATE BOARD OF PHARMACY

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel E. Snyder, 530 Vernon Road, Philadelphia 19, Philadelphia County, for appointment as a member of the State Board of Pharmacy, for the term of six years, and until his successor shall have been appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

#### MEMBER OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lawrence F. Tornetta (Democrat), 30 Terrace Road, Norristown, Montgomery County, for appointment as a member of the Montgomery County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas P. McArthur, Jr., Norristown, resigned.

DAVID L. LAWRENCE.

### HOUSE MESSAGE

#### AMENDMENT TO HOUSE BILL No. 274, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced presented for concurrence, House Bill No. 274, entitled:

An Act providing leaves of Absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

### REPORTS FROM COMMITTEES

Mr. SHAFER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872),



entitled "The Penal Code," changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting organizations composed of mothers of men or women who are members of the armed services of the United States during time of combat.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 297, entitled:

An Act repealing section 650, act of June 24, 1939 (P. L. 872), entitled "The Penal Code," relating to pawnbrokers dealing with minors.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 521, entitled:

An Act authorizing the use of certified mail in lieu of registered mail.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 735, entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947," providing a rule and interpretation regarding the source of payment of inheritance tax.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," providing for the investment of funds, clarifying the power of a personal representative to sell with the joinder of the specific devisee, and including the power to pledge in the power to sell.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 737, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," defining conveyance.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 738, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," providing a rule of interpretation regarding the source of payment of inheritance tax.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 739, entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947," providing for the revocation of wills by persons in military service and mariners; and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries; granting powers and imposing duties on the Orphans' Court; and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians; providing for the administration of funds so established;

and prescribing the nature and kinds of investments which may be made therein.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138), entitled "An act providing for payment of costs in criminal cases by the proper county," providing for payment of costs in non-support cases.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1060, entitled:

An Act amending the act of May 10, 1951 (P. L. 279), entitled "An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the lay with respect thereto," changing and clarifying provisions relating to fees, procedures and enforcement; permitting intra-state use of the act; providing for the registration and enforcement of foreign support orders.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1066, entitled:

An Act authorizing an interstate compact concerning detainers and for related purposes.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1143, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364) providing for the corporate name, the contents of the articles of incorporation and articles of merger; prescribing the method of cancelling treasury shares and the manner of giving notice of the winding up proceedings.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1144, entitled:

An Act amending the "Nonprofit Corporation Law," of May 5, 1933 (P. L. 289), providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1145, entitled:

An Act amending the act of June 8, 1911 (P. L. 710), entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations; . . ." providing for the withdrawal from business and the surrender of the certificate of authority.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1566, entitled:

An Act amending the "Orphans' Court Act of 1951," approved August 10, 1951 (P. L. 1163), conferring exclusive jurisdiction of control of decedent's burial on the orphans court, and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1892, entitled:

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; \* \* \*," giving the court jurisdiction in the trial of indictments for arson and burglary.

Mr. CONFAIR, from the Committee on Highways, reported as amended, Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58),



entitled "The Vehicle Code," authorizing public authorities to reduce speed limits on streets which are not through highways of main arteries of traffic.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 1089, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees in connection with motor vehicles.

He also, from the Committee on Elections, reported as committed, Senate Bill No. 75, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act," providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

He also, from the Committee on Elections, reported as committed, House Bill No. 851, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), authorizing veterans to gain residences as electors at homes for disabled and indigent soldiers and sailors.

Mr. WALKER, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 204, entitled:

An Act amending the act of July 15, 1919 (P. L. 976, No. 386), entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property . . . by proceedings in eminent domain," authorizing eminent domain acquisition of aviation, easements, aerial rights-of-way and other interests in land.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind, paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 467, entitled:

An Act amendnig the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including the Italian American War Veterans of the United States, Incorporated, among the veterans organizations entitled to the printing of convention reports.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 470, entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location, care, and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; \* \* \*" authorizing the Italian American War Veterans of the United States, Incorporated, to gather and file data concerning burial places of persons who have served in the military, naval or other combative forces with city commissioners in cities of the first class.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 471, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting imitating, selling and offering to sell the labeled artificial flower of the Italian American War Veterans of the United States, Incorporated.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 888, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing expenditures for aviation training.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 889, entitled:

An Act amending "The Aeronautical Code," approved May 26, 1933 (P. L. 1901), amending, and adding definitions; revising text to conform; and authorizing expenditures for aviation training.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1179, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), providing for powers, responsibilities, duties and limitations of the Governor; \* \* \* including the Pennsylvania Air National Guard within the provisions of this act.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1903, entitled:

An Act to prohibit discrimination in employment by the Commonwealth, its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases.

Mr. KROPRIEVER, JR., from the Committee on Local Government, reported as committed, Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire; and further regulating pensions of reinstated members.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the reassessment of property in certain cases, and imposing liability for county taxes upon the owners thereof.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 392), entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public," requiring public notice of such meetings and prescribing penalties.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1482, entitled:

An Act amending the act of July 3, 1941 (P. L. 244), entitled "A supplement to the act, approved the twenty-



seventh day of June, one thousand nine hundred twenty-three (P. L. 858), as amended entitled, 'An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; \* \* \* providing for an extension of time during which contributors may apply and receive credit for active military service.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Society of the 28th Division A.E.F. Inc. to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect, prepare and file data concerning burial places of military, naval and other combat personnel with the county commissioners.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2031, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the amount of contracts in which officials may have no interest.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

He also, from the Committee on Local Government, reported as committed, House Bill No. 2162, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), regulating credit for previous employment by the city other than in the Bureau of Police for less than five years and further regulating pensions of reinstated members.

Mr. WHALLEY, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 256, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), designating magistrates, aldermen or justices of the peace before whom informations charging summary offenses may be brought.

He also, from the Committee on Highways, reported as committed, House Bill No. 1177, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law.

He also, from the Committee on Highways, reported as committed, House Bill No. 1430, entitled:

An Act repealing section 1033, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," and its amendments, relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

He also, from the Committee on Highways, reported as committed, House Bill No. 1528, entitled:

An Act amending "The Vehicle Code," approved April

29, 1959 (P. L. ) No. 32, directing the issuance of special registration plates for suburban motor vehicles and prescribing the fee thereof.

Mr. WADE, from the Committee on Highways, reported as amended, Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," exempting motor vehicles operated by certain persons subject to the Public Utility Commission and certain Municipality Authorities from fees for certificates of title or registration.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1951 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," exempting from the tax the owners or operators of certain vehicles.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 448, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act," providing under certain circumstances for the refund of taxes paid on fuel used in vehicles operated by certain persons subject to the Public Utility Commission or by certain Municipality Authorities.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "The Liquid Fuels Tax Act," providing under certain circumstances for the refund of taxes paid on fuels used in vehicles operated by certain persons subject to the Public Utility Commission and by certain Municipality Authorities and providing for deductions from the amount of moneys paid to counties.

Mr. KELLER, from the Committee on Education reported as committed, Senate Bill No. 1001, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," requiring the Auditor General to perform audits of school districts to verify rights to reimbursements and imposing duties on the Department of Public Instruction.

Mr. LANE, from the Committee on Local Government, reported as amended, House Bill No. 1297, entitled:

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof . . . . . " granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Authorities from taxation and limiting the time to commence civil action against said Authorities.



## BILLS INTRODUCED AND REFERRED

Messrs. HARNEY and WHALLEY read in place and presented to the Chair Senate Bill No. 1112, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," excluding certain services from taxation.

Which was committed to the Committee on Finance.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 1113, entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law," regulating the sale of barbecued meat and poultry.

Which was committed to the Committee on Public Health and Welfare.

Mr. WEINER (By Request) read in his place and presented to the Chair Senate Bill No. 1114, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prescribing powers and duties of the Department of Public Welfare relating to local welfare organizations.

Which was committed to the Committee on State Government.

## REPORTS FROM COMMITTEE

Mr. VAN SANT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT, on behalf of Mr. MURRAY, from the Committee on Highways, re-reported as committed, Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," prohibiting the operation of such vehicles on highways when occupied by passengers; and fixing penalties.

He also, from the Committee on Highways, re-reported as committed, Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

He also, from the Committee on Highways, re-reported as committed, Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," excepting mobilehomes, house trailers or office trailers from safety glass requirements.

He also, from the Committee on Highways, re-reported as committed, Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code," fixing the annual registration fee for mobil homes house trailers and office trailers.

He also, from the Committee on Highways, re-reported as amended, Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," exempting certain trailers from lighting requirements.

He also, from the Committee on Highways, re-reported as committed, Senate Bill No. 754, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," excepting house trailers from gross weight requirements.

## CALENDAR

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1427, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to request that a certified check accompany bids for contracts.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1427, RECALLED FROM THE GOVERNOR

Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1427, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Welner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 36, Printer's No. 1244, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection. The Chair hears none.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 935, entitled:

An Act amending the act of May 21, 1943 (P. L. 571),



entitled as amended "The Fourth to Eighth Class County Assessments law" specifying when tax levies shall first be based on assessments from valuations made with use of the permanent system of records.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 935

Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 935.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Chamiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

#### REVENUE BILLS ON THIRD READING OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following Revenue Bills on third reading, go over in their order:

House Bill No. 660, Printer's No. 1387;

House Bill No. 661, Printer's No. 1369; and

House Bill No. 662, Printer's No. 1370.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 141, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I have some reservations of my own on this measure.

I do not believe that this would, in any way, act as a deterrent to juvenile delinquency. What you are doing is punishing the parents for an act committed by a child. In the main, I imagine this would operate against people who are not financially able to meet this problem. I cannot see how this measure, as a deterrent to juvenile delinquency as a deterrent to a youngster committing an act, would prevent it.

In other words, if you had a youngster who was generally a good youngster, but got himself into some difficulty, such as breaking a window or something similar, which may be in the character of a prank, you are going to fine the parents \$250, that being the maximum. I do not feel that this, in a sense, would be a deterrent to juvenile delinquency. I do not think this bill demonstrates it. Since this bill was drawn and then rewritten under the same House Number and, in a sense, eliminates the original provisions which the authors of this bill intended and is rewritten so that it fits a different type of problem which they feel they face, I am not so sure that these people are absolutely certain of their own act and I think the Legislature should give this some real careful consideration before hastily enacting such a measure. We have here before us a completely different measure than we had when it came over from the House.

Mr. PECHAN. Mr. President, House Bill No. 141, as it is presently amended, uses exactly the same language as the bill which passed this Body as Senate Bill No. 7. I do not remember what the vote was at that time, but I think it passed with a substantial majority. The distinguished gentleman, the Minority Leader, mentioned damages as a result of a prank. This bill very clearly states that property must be wilfully or maliciously destroyed. I feel that this bill certainly would not repay that damages that some of these juvenile delinquents do maliciously, such as going into cemeteries and turning over tombstones or going into churches and destroying statues and pews, and thereby doing malicious damage to property.

The maximum amount which can be recovered is only \$250. However, I believe that, psychologically, if we had a bill like this on our books, that boy would think twice before going into a church or into a cemetery or into somebody's home and maliciously destroying property.

Many judges have written to me about this matter and they feel that a bill of this kind would be very, very helpful. Some of the States have enacted legislation just exactly like this. In many areas where a bill of this kind has been enacted into law, the juvenile delinquency rate has dropped tremendously. In some areas it has dropped as much as seventy-five per cent.

Therefore, Mr. President, if this bill does not do anything else, it is going to make that boy think twice before he maliciously destroys property. I believe, when we had Senate Bill No. 7 before us, I see the distinguished gentleman from Washington smiling and getting ready to get at Senator Pechan. We will give him his day in just a few minutes. He has that kiddie-car thing on his mind, I think.

Mr. President, if I own a dog or a cat and it goes into somebody's garden and destroys their flowers, that person



can recover damages from me because my cat or dog went into that flower garden and destroyed it. However, if my son or daughter, who is eleven or twelve or up to the age of eighteen, goes in there and maliciously destroys that man's property, he has no recourse and he cannot recover. Again, I say that if this boy or girl knows that his parents are going to be liable to the extent of \$250, he is going to think twice before he does harm. Not only that, but I am sure that the parents, if they are giving this boy or girl an allowance, will say, "Now, Johnnie, until this damage of \$250 is paid, you will get no more allowance." If for no other reason, I think this is good legislation and will help to curb juvenile delinquency.

Mr. WEINER. Mr. President, this may have a salutary effect, as a statement of public policy. However, the common law under which we operate in this Commonwealth is to the point of where a dog or a child is entitled to, as they loosely say, one bite. In other words, if you know that an animal or a child has vicious propensities, then you must taken action against that particular animal or child. However, if you do not know these things to be true, then you cannot take any action against them.

The problem which poses itself in my mind is if you do obtain a judgment of \$250—because the action is in the nature of an assumpsit and not a criminal action—against the parents and if you have some poor individuals who cannot pay this amount of money, they are then saddled with a judgment that they cannot pay. As a result of that, they may be compelled to have a sheriff's sale against their home or against their personal property in order to satisfy this judgment. I do not see how, by imposing a hardship on a family, this is going to deter this youngster from committing further acts.

Basically, I think the problem is one where a youngster may be mentally ill. I think, no matter what you do to his parents, he may enjoy that, if you can believe Freud, Jung and others who have written in this field. This may be his way of getting back at his parents and this may be part of the enjoyment that he gets out of doing these things. I do not know, I do not happen to be a psychiatrist. If you are approaching this matter from the point of view of punishing someone who may be mentally ill, I think that is certainly the wrong approach.

Mr. LANE. Mr. President, I am more or less of the opinion that the sponsors of this legislation are trying to imitate Senator Pechan. Several years ago, he sponsored the kiddie-car bill.

It seems to me, Mr. President, that this legislation is quite confusing because, if you observe the title, it authorizes "the recovery of damages from parents of childrent destroying property." You understand, of course, that it authorizes the recovery of damages. On the fourth and fifth pages of the bill, it sets forth that the child must be living with his parents. In addition to that, it is an action in assumpsit. Assumpsit, according to my opinion, is a suit for debts. Therefore, the bill is very, very confusing.

Mr. President, I am of the opinion that legislation of this type, generally speaking, penalizes children for things that they may do in the course of their adolescent age. I do not believe we should attempt to make criminals out of little children. I do not believe we should attempt to to penalize parents for some small act which their child might have committed. It seems to me that this legislation has no place here in this Senate. It is not going to do any-

thing to help juvenile delinquency. I think probably what will happen, if this does pass and the Governor signs it, is that it is going to cause more chaos in the poor families of Pennsylvania.

Mr. SILVERT. Mr. President, it is not often that I arise on this side of the aisle to agree with Senator Pechan against Senator Weiner and Senator Lane. However, I must say that in this case I do agree with Senator Pechan.

We have read volumes on the problems of juvenile delinquency. We have read about various measures to control juvenile delinquency and they are great in number. However, each set of measures makes mention of greater disciplinary control by parents. I do think that the psychological effect of a bill of this kind will make parents realize they just cannot permit their children to run around and destroy other people's property and then simply do nothing about it. I feel that a bill of this kind will make some contribution towards the control of juvenile delinquency by making parents pay stricter attention and try to create more discipline in their children.

As another point, Mr. President, supposing the damages are caused by children of parents who can afford to pay. Why should the person who is damaged suffer the damage while the parents who can afford to pay, and whose children wilfully destroy property, go scot free?

Mr. MULLIN. Mr. President, the way this bill is set up now, it refers to any child under the age of eighteen. That would include children from one day old up. I believe the bill, before it was amended, was comprehensive, and the only thing that I would have objected to in the original bill was the size of the penalty, which was \$1,000.

The only good thing done in the amended bill, as far as I can see, is the reduction of the penalty. Otherwise, certainly a child under the age of seven, as contained in the original bill, is presumed by the law not to have a wilful attitude toward trespasses, offenses to property on so on.

That would be one of the criticisms I make of this bill, and I believe that it should have been left in its original form with the one exception of the penalty.

Mr. McMENAMIN. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. McMENAMIN. Senator, do I understand from your earlier remarks that you believe that a prank is not covered by this bill?

Mr. PECHAN. Well, now, if you are going to get technical, I stay away from you lawyers as much as I can because I can be boxed in very easily. Truthfully, I must admit that I do not know. A prank, to me, is something that is done devilshly, like I used to do when I upset the outhouses when I was a kid on Halloween.

Mr. McMENAMIN. Mr. President, I think any lawyer would accept the Doctor's definition of a prank.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—31

Berger,	Keller,	Propert,	Van Sant,
Blass,	Kessler,	Rooney,	Wade,
Chapman,	Koprivier, Jr.,	Ruth,	Wagner,
Confair,	Kromer,	Scott,	Walker,
Elliott,	Madigan,	Shafer,	Watkins,
Flack,	Mallery,	Silvert,	Whalley,
Fleming,	Miller,	Stevenson,	Wolfe,
Harney,	Pechan,	Taylor,	

## NAYS—13

Ehrgood,	Mahady,	Mullin,	Sarra,
Hays,	McCreesh,	Murray,	Seyler,
Kalman,	McMenamin,	Ripp,	Weiner,
Lane,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 193, entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" changing a route and adding a new route in Delaware County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 354, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarra,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 543, entitled:

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law authorizing the investigation thereof and prescribing the procedure therefor.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarra,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Lane,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 705, entitled:

An Act amending the act of April 23, 1956 (P. L. 1510), entitled as amended "Disease Prevention and Control Law of 1955" providing for the examination of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease.

And said bill having been read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 706, entitled:

An Act amending the act of April 23, 1956 (P. L. 1510), entitled as amended "Disease Prevention and Control Law of 1955" providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease.

And said bill having been read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 790, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" further regulating the marking and counting of ballots.

And said bill having been read at length the third time and agreed to,

On the question,  
Shall the bill pass finally?

Mr. SEYLER. Mr. President, Senate Bill No. 790 makes amendments to the Election Code, which seem to me to go a little bit too far.

The present law provides that if any mark other than an X, or cross as it is referred to in the Code is used, the vote shall be invalid. It also makes the provision that if any other means of marking than pencil or indelible pencil is used, likewise, the vote shall be invalid.

Mr. President, these provisions were put into the law as safeguards for the prevention of fraud, so that no one would be able to tell by a distinctive mark or by a distinctive way of marking the ballot how any person or number of persons voted. I think the use of a check mark, if it were limited to a cross or a check, as this bill would suggest, is not too harmful a thing, because if it were limited strictly to those two, it would mean that all other marks would be out, and since there were two, it would be hard for any person to tell, if there were fifty of one and forty of another, how anyone voted. Therefore, this is not particularly serious. It would be if we extended it and allowed perhaps twenty different marks.

When we come to the matter of how we shall mark the ballot, this proposed amendment would make no restriction as to the color of ink to be used. We have red ink, blue ink, black ink, green ink, and all sorts of colors of ink. It would be quite possible for a person, using a distinctive color of ink, to evade the purpose of this law. Therefore, Mr. President, I think this amendment goes too far. I would, personally, feel that the addition of a check mark would not be fatal to the original purpose of the law. However, I think, if we are going to use ink, it should be restricted to one color of ink. I personally feel that perhaps we do not need that provision at all, and we should stick to pencil and indelible pencil.

Mr. BERGER. Mr. President, I do not think the subject matter is worth the expenditure of too much time and debate. However, it is perfectly natural for an elector with a paper ballot to go into the voting place, reach into his pocket and pull out whatever implement of writing he has and make his mark. If it happens to be a fountain pen, as it is frequently he spoils his ballot. He may not even realize it. He folds up the ballot and deposits it in the box, and he is out a ballot.

A fountain pen is almost as much a part of a man's apparel nowadays as his necktie, and he reaches into his pocket and uses it on every occasion. Therefore, Mr. President, I feel that to defeat the intent of an elector simply by his use of his own fountain pen is wrong, and that his vote should be counted.

Mr. SEYLER. Mr. President, just one other note on this in reply to Senator Berger. In the first place, if anyone unthinkingly uses a fountain pen and therefore spoils his ballot, he has recourse because he can ask for another ballot. Furthermore, I would point out that it is plainly stated on the ballot that only a pencil shall be used, and we have had many, many years of this practice. It seems to me that for anyone who is unable to read or through the years has not learned that a pencil is the only proper way of marking a ballot, there may be a question raised as to whether the person evidences competence to vote. Therefore, I do not think this is fatal.

I would again reiterate that the purpose of this law,



originally, was to prevent fraud. It was based on experience with the practice of fraud. I do not think that we should lightly change this provision and again return to a situation where fraud can develop.

Mr. BERGER. Mr. President, it is perfectly true that a man may ask for and receive another ballot if he has spoiled his ballot. Under the present law, if he has marked it in ink and notices it before he puts it in the ballot box, he can get another ballot. However, if he does not think about it until after he has put the ballot in the box, or never thinks about it at all, his intention to vote has been defeated and he has lost his vote.

Mr. President, I do not think that present conditions prescribe that we must use a lead pencil when that is practically the third medium of writing that we have. We have the fountain pen, the ball point pen and the lead pencil, and I think the lead pencil is the last on the list.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—33

Barr,	Harney,	McMenamin,	Van Sant,
Berger,	Keller,	Murray,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Chapman,	Koprivier, Jr.,	Propert,	Walker,
Confair,	Kromer,	Scott,	Watkins,
Ehrgood,	Madigan,	Shafer,	Weiner,
Elliott,	Mallery,	Stevenson,	Whalley,
Flack,	McCreesh,	Taylor,	Wolfe,
Fleming,			

## NAYS—11

Hays,	Mahady,	Ripp,	Seyler,
Kalman,	Miller,	Ruth,	Silvert,
Lane,	Mullin,	Sarraff,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 812, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz.

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted aye the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 816, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" modifying the requirement of notice of stockholders meetings to consider increasing or decreasing the capital stock.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—48

Barr,	Harney,	McMenamin,	Silvert,
Berger,	Hays,	Miller,	Stevenson,
Blass,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Taylor,
Chapman,	Kessler,	Pechan,	Van Sant,
Confair,	Koprivier, Jr.,	Propert,	Wade,
DiSilvestro,	Kromer,	Ripp,	Wagner,
Donolow,	Lane,	Rooney,	Walker,
Ehrgood,	Madigan,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraff,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,

## NAYS—2

Mahady,	Seyler,
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A Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 846, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code" further regulating the adoption of zoning codes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarraff,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Mahady,
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A Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 847, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarra,	Watkins,
Elliott,	McCreesh,	Scott,	Welner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

#### NAYS—1

Mahady,

A Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 869, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Consitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
Donolow,	Lane,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Welner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 901, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I do not want to belabor this bill or the next bill. My difficulty with this piece of legislation is that you are making it much easier for management to effectuate mergers. That might be a laudable desire. My other problem, personally, is that this type of legislation decreases the effectiveness of the shareholder. This bill completely removes the shareholder from any interference with the merger activity of the company. I am not so sure that this is good. I am not so sure even as a public policy that it is a good thing.

The basic proposition is that when a person buys stock in a company, among other things other than the investment that he has made, he should have some voice in the management of that company. I do not indicate by that that he should run the company or tell the management how to run it. However, his rights should be protected in so far as they may be injured by a merger. I do not believe anyone here can say that every merger is good or effectuates one hundred per cent what everyone in the company is seeking.

The coming into being of the corporation and the people who make up that corporation have been very helpful to this Country. History will bear out that in the Ford Corporation, many, many years ago at that time Henry Ford was the sole owner and operator, with the help of some other persons who put money into the company—when Mr. Ford did not want to pay a dividend, they were able to effectuate a dividend by taking him into court and having the court decide that although a corporation may be singly owned and operated, when there are other people involved, their rights also have some standing and they have a right to be heard.

When you whittle away this right, you are hurting fundamentally the ability of people to own shares in a corporation and also to be heard when they are shareholders and have put their money or life savings into this type of activity.

I think we should be very careful. This is just one more step in that direction. We have had a number of other measures this Session where we did just that. This seems to be one more measure in the insurance field toward accomplishing that purpose.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.



The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Senator, I presume you are speaking on Senate Bill No. 901.

Mr. WEINER. Yes, sir.

Mr. BERGER. As I read the bill, it provides that any increase in the capital stock, and so forth, may be issued at such price in excess of par as the stockholders may direct or as the board of directors may direct under authority conferred by the stockholders. As I read that, it seems to me the stockholders have as much to say about it as they did before. If I am wrong, I would like to be corrected.

Mr. WEINER. You are not incorrect, Senator. I think as a fundamental policy of the operations of corporations, when a meeting is to be called or some problems are to take place before them, most people operate through proxies because most people find it difficult to attend meetings. If it is a public corporation, there is a greater number of persons involved, perhaps with smaller holdings, but by the same token, the holdings may seem large to the stockholders.

My contention is that the part which you read is not the only phase of it. There are other phases to this situation. When you allow that to happen, I think in a sense you are cutting off a fundamental right. In other words, if there is something wrong with the way the thing is operating today, then we should change it. However, I do not think this change here corrects a wrong or an error that has existed. You are making it easier for the type of thing that I was talking about to happen. That is the problem which I am finding in voting for this measure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—32

Berger,	Harney,	McMenamin,	Taylor,
Blass,	Kalman,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Ruth,	Wagner,
Ehrgood,	Koprivier, Jr.,	Scott,	Walker,
Elliot,	Kromer,	Shafer,	Watkins,
Flack,	Madigan,	Silvert,	Whalley,
Fleming,	Mallery,	Stevenson,	Wolfe,

#### NAYS—12

Hays,	McCreesh,	Murray,	Sarra,
Lane,	Miller,	Ripp,	Seyler,
Mahady,	Mullin,	Rooney,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 902, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I believe one of the problems in this piece of legislation is that it allows insurance stock companies to acquire stock from another company, doing the same kind of business permitted under the Pennsylvania law. The purpose of this bill is to allow them to acquire the business assets of such other company.

At the present time, Mr. President, a stock insurance company cannot purchase the shares of another company. Under this bill, the purchasing company is required to file a written notice of it and also must proceed with dispatch to eliminate the company or effectuate the merger. If it is a foreign company they are acquiring, the foreign company must be completely eliminated or liquidated. If it is a domestic company, it can be dissolved or merged.

I think this is bad legislation from two points of view. Number one, this could result in retaliatory measures by other States which will be hurt by this type of a situation. In other words, a company formed in Ohio, Delaware or some other State is completely eliminated just because they entered into a merger. I think this could cause those States to take action against our companies which might be situated in their areas.

Number two, I think we should be concerned about the fact that whenever you have a merger and one company is buying the stock of another, I think you have some activity in that stock, either up or down, of the particular company doing a particular act in this situation. I think this might hurt some of the people who own stock in the various companies, depending on whose ox is being gored at the particular time.

Also, once an insurance company has committed itself to go through with this type of thing, it will continue to buy the stock and it will cause the stock, maybe, to become inflated or go up into a false type of inflation where it does not necessarily reflect the strength of the company, but because probably the company buying it is stronger. If they do not go through with this, and there is nothing forcing them to do so, it could cause the stock of the company which is supposedly being merged to go down very rapidly. This might be very harmful to the company. It might even put it on the brink of bankruptcy. I do not know that, but I think those things are within the realm of possibility and probability. Anything which might endanger the policyholders or the stockholders of a company, I think should be considered very, very slowly.

I think perhaps hearings might be indicated on this measure in order for us to get the full benefit of the different views which might predominate in both these areas. It might be that the alarm I am raising may not be any alarm at all. It might not be one which is worthy of us taking cognizance of. However, I am not so sure that it is not something that we should be concerned about and think about before we act on this measure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—32

Berger,	Harney,	McMenamin,	Taylor,
Blass,	Kalman,	Pechan,	Van Sant,
Chapman,	Keller,	Probert,	Wade,
Confair,	Kessler,	Ruth,	Wagner,
Ehrgood,	Koprivier, Jr.	Scott,	Walker,
Elliot,	Kromer,	Shafer,	Watkins,
Fleming,	Madigan,	Silvert,	Whalley,
Flack,	Mallery,	Stevenson,	Wolfe,

## NAYS—12

Hays,	McCreesh,	Murray,	Sarraf,
Lane,	Miller,	Ripp,	Seyler,
Mahady,	Mullin,	Rooney,	Werner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. EHRGOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 256, page 97, lines 8 to 17, by striking out all of lines 8 to 16 and "water in the performance of his duty (h)" in line 17, and inserting: "(e)"; Amend Sec. 256, page 97, line 18, by striking out "(i)" and inserting "(f)"; Amend Sec. 256, page 98, line 1, by striking out "(j)" and inserting: "(g)"; Amend Sec. 256, page 98, line 10, by striking out "(j)" and inserting: "(h)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. EHRGOOD. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1389, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

VISITORS FROM FOREIGN LANDS  
PRESENTED TO SENATE

The PRESIDENT. The Senate is privileged to have here in the Chamber gentlemen from foreign lands, whom I would like to stand and take a bow. There are four

gentleman from Nigeria, one from Pakistan, one from Ceylon and one from Uruguay.

I had the pleasure of meeting them yesterday. I wonder whether they will please stand and take a bow.

We are very happy that you honored us with your presence here today.

MRS. ELEANOR EVANS,  
FORMER SECRETARY OF PUBLIC ASSISTANCE,  
PRESENTED TO SENATE

Mr. WATKINS. Mr. President, while we are introducing guests, I would like to take the time of the Senate for just a second to introduce a very distinguished colleague of mine from Delaware County. She is one of the finest ladies from our county and a real Republican.

I would like to introduce to the Senate a former Secretary of Public Assistance, Mrs. Eleanor Evans, who is sitting in the rear of the Senate Chambers.

The PRESIDENT. We are very happy to have you with us, Mrs. Evans.

The PRESIDENT. At this time, the Chair invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

## REPORTS FROM COMMITTEES

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837), entitled, as amended, "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged; . . ." changing and clarifying certain preference provisions and adding definitions.

Mr. KELLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KELLER, from the Committee on Education, reported as amended, Senate Bill No. 1049, entitled:

An Act amending the act of May 23, 1945 (P. L. 913) entitled "Professional Engineers Registration Law," further defining the practice of engineering and authorizing registration of certain qualified persons without examination.

Mr. WHALLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Highways, reported as amended, House Bill No. 1577, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicles by dealers in certain cases.



He also, from the Committee on Highways, reported as amended, House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

### BILL INTRODUCED AND REFERRED

Mr. HARNEY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. HARNEY, RUTH, HAYS and ROONEY read in place and presented to the Chair Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions; conferring additional powers and duties on the Department of Agriculture; and further regulating the sale and importation of bakery products.

Which was committed to the Committee on Agriculture.

### PROTESTING THE REPORTING OF SENATE BILL No. 1079 FROM COMMITTEE

Mr. MAHADY. Mr. President, at this time, I would like to protest to Senate Bill No. 1079 having been reported from the Committee on Military Affairs and Aeronautics.

No one on this side of the aisle was ever informed of a meeting of the committee, nor the time and place in which it was to be held. As far as we are concerned, the members of that committee from our side of the aisle never were informed of a meeting, if it was held. This practice seems to be increasing as the Session goes on. If it is a function of the committee to meet and to discuss, certainly that theory should be complied with. If it is going to be the rule of the Senate that the Chairman of the Committee will report bills out, without meetings, let us change the rule and make it that way.

### THIRD READING CALENDAR

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printers No. 1140, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "sub-divider" and "developer."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLACK. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2004), page 2, line 14, by inserting after "sub-divider": "or developer"; Amend Sec. 1 (Sec. 2004), page 2, lines 17 to 19, by striking out "and the term "sub-divider" shall" in line 17, all of line 18, and "successive stages of the project may vary" in line 19, and inserting: "The term shall not include any individual, partnership or corporation or agent thereof who is not in the business of buying land for development purposes but who sells or offers to sell a part or parts of land owned by him or it which had not been purchased by him or it strictly for development purposes."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. FLACK. Mr. President, I ask unanimous consent that Senate Bill No. 972, Printer's No. 1141, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 982, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law" requiring tax collectors to include additional information when making statements for taxes collected.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A Majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 998, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the closing of court houses and other county offices on Saturdays.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarrafi,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Whalley,
Ehrgood,	Mahady,	Sarrafi,	Wolfe,
Elliott,	Mallery,	Seyler,	Watkins,
Flack,	McCreesh,	Shafer,	Weiner,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1015, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

### BILL OVER IN ORDER

Mr. WAGNER. Mr. President, this bill is not of special import to me, although I think it is of value and the committee has reported it out. However, I just heard, a short time ago, that some people are interested in what they consider a very constructive amendment.

If it is not too late, I would respectfully ask that this bill might go over in order until next week.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on final passage.

### BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1032, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the board to consult with the Joint State Government Commission regarding certain contemplated certifications.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I am at a loss, concerning this bill, to understand what the purpose of it is. The bill wants the Tax Equalization Board to consult with the Joint State Government Commission. Does that mean they are to call them up and ask them how they are and, after they have finished discussing the state of the weather, or their health, or exchanged medical reports, they have consulted with them? I was not aware that the Joint State Government Commission has the machinery to resolve the problem which the Tax Equalization Board is facing or, in some measure, deal with the same problem so that they could consult each other on an intelligent level.

If the purpose is to have the Joint State Government Commission sit with the Tax Equalization Board, that is a different measure and I do not think this measure will carry it out. To me, this seems to be an absolutely needless task and needless passage of a measure which will mean absolutely nothing. I think there is nothing to prevent them from consulting right now, if they desire to do so. I think all the gentlemen know each other. If they do not, I am sure somebody here would be very happy to introduce them to each other in order for them to consult with one another.

### BILL OVER IN ORDER

Mr. WAGNER. Mr. President, you will notice that this bill was co-sponsored by Senator Berger and myself. I



had no part in the construction of the bill, in the sponsorship of which I gladly joined.

I will concede that the gentleman has a point and I think he probably knows that, on occasion, the Tax Equalization Board has in the past consulted with the Joint State Government Commission and used its facilities to accomplish certain determinations. However, I agree with him that nobody knows where they go from there.

In Senator Berger's absence, I would suggest that perhaps we should let the bill go over in order until next week. At that time, we could see whether it would be wise to decide, as Senator Weiner suggested, how they should proceed from that point on, after the conferences have been entered into.

Mr. WEINER. Mr. President, I will very happily join with the gentleman in his request. I think it should apply also—I know the Chair has not called it up—to Senate Bill No. 1033, which is a companion measure. I think both of these bills should go together because I think they both do the same thing.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on final passage.

### BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1033, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1033, Printer's No. 1217, on final passage, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled as amended "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to municipality authorities.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Seyler,  
Shafer,  
Silver,

Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,  
Scott,  
Presiding Officer

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I was interested to see that there was not one dissenting vote cast on the bill which was just passed, Senate Bill No. 1035. I think that is a very happy circumstance and one which should not pass without being noted.

The gentlemen who are constantly introducing measures in this Senate to take away the wage tax from Philadelphia or away from the people who live in the surrounding area, I notice, are very happy to cooperate with us and vote with us when a bill comes up that the communities surrounding each other shall cooperate. That has been my point all along and I am very happy that they are beginning to see the light. It may be a little late, but it is better to be late than never.

### BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1038, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987) entitled as amended "Sanitary Water Law" permitting certain municipalities to discharge sewage in certain water.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MULLIN. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. I do not think that Senator Berger is in the Senate Chamber at the present time.

Mr. MULLIN. Mr. President, I would like to speak against this bill. However, I would like to have known just what it was intended to do and where it was intended to apply.

Could Senator Pechan enlighten us?

The PRESIDING OFFICER. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I did not hear the question, Mr. President. I was talking to the gentleman to my right. Would the gentleman from Philadelphia, Senator Mullin, please repeat his question?



Mr. MULLIN. I understand that Senate Bill No. 1038 is under consideration. Am I correct?

Mr. PECHAN. That is correct.

Mr. MULLIN. What does this bill intend to do?

Mr. PECHAN. Without looking at the bill, as I understand it, it takes care of a community of 4,500 people under the situation where the water starts in Pennsylvania and goes to New York and then comes back to Pennsylvania, allowing that municipality to discharge its sewage into this water without a penalty.

Mr. Mullin. Does this apply to the community of Coudersport?

Mr. PECHAN. I do not know. However, I think if you would look on a map, it might be in that area.

Mr. MULLIN. Mr. President, I notice there is a stream, called the Allegheny River, which goes through Coudersport and does go up into a community in New York State. It comes back into Pennsylvania a little bit later and goes down through parts of the western section of Pennsylvania, including Allegheny County.

Mr. PECHAN. Does it say anything about Ford City there? It goes through Ford City, too.

Mr. MULLEN. If Ford City wants the garbage and the waste of Coudersport, it is welcome to it.

Mr. President, I desired to question Senator Berger as to whether these other towns in Potter County should be inflicted upon, and also the people in McKean County. It goes through such towns as Roulette, Port Allegheny and a lot of towns.

I understand that the purpose of this bill is to pollute streams. From what I understand from a newspaper clipping up there, the Department of Health stands fast on its decision to disapprove school plans. The plans seem to be that the Coudersport Junior-Senior High School wanted to build a high school. In order to do that, they did not want to provide for any sewerage and waste disposal plant. In order to build the high school, they decided they would empty all their pollution into the Allegheny River.

I think our stream pollution laws, up until this time, have been a great thing for the Commonwealth of Pennsylvania. They have brought fish back into the Delaware River and they have brought fish back into the Schuylkill River. The people use those areas for recreational purposes. I think any attempt to back track on the stream pollution laws, in my opinion, is a straight step backward. I think that the people of Coudersport should dispose of their own sewage. I wonder what the sportsmen up there think of the pollution going into their wonderful streams. They do have wonderful streams up in that vicinity for sportsmen who enjoy fishing. I wonder what they think of Senator Berger's bill. I, for one, could do nothing else except oppose it.

### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, we have no jurisdiction over New York's clean stream legislation. I am sure that Senator Berger would feel very badly if I allowed this bill to pass without him having an opportunity to answer Senator Mullin.

Therefore, Mr. President, I request that this bill go over in order.

The PRESIDING OFFICER. Is there objection?

Mr. SEYLER. I am not rising to object to the request,

Mr. President, but I am asking the privilege of asking a question of information before the request is granted.

The PRESIDING OFFICER. Does the gentleman desire to make his request now?

Mr. SEYLER. I would like to ask a question before the request to go over is granted.

The PRESIDING OFFICER. To whom would you like to direct that question?

Mr. SEYLER. Senator Ehrgood is convenient. I must ask a lawyer, Mr. President. I cannot ask this of the Chair.

Mr. President, I desire to interrogate the gentleman from Lebanon, Senator Ehrgood.

The PRESIDING OFFICER. Will the gentleman from Lebanon, Mr. Ehrgood, permit himself to be interrogated?

Mr. EHRGOOD. I will, Mr. President.

Mr. SEYLER. Senator Ehrgood, I have a little preliminary statement before I can ask the question. Please be patient.

Mr. EHRGOOD. I hope the statement is not too long.

Mr. SEYLER. Not too long.

I understand, Mr. President, that laws passed must apply to all the subjects equally, but that reasonable classifications may be set up under our Constitution. Municipalities are not permitted to dump sewage in the streams, but this bill apparently sets up a classification. It applies only to those municipalities which lie on a stream which rises in Pennsylvania, flows through Pennsylvania for a distance of less than sixty miles, enters another State, then re-enters Pennsylvania, and only if they are located along that portion of any such stream, between its head waters and its point of entry into the other State, and also only applies to those municipalities having a population of 4,500 or less. The question I wish to ask the gentleman is whether, in his opinion, this constitutes a reasonable classification.

Mr. EHRGOOD. Mr. President, I would be happy to answer that question. Yes, I believe it would, because we do not know how many streams are involved in a situation like that. I am sure there are probably quite a few. Undoubtedly, Senator Berger, the sponsor of this bill, is more aware and could answer that better than I can. I believe all of the conditions are there, and it satisfies everyone and probably is constitutional.

Mr. SEYLER. Mr. President, I accept the learned gentleman's answer tentatively until Senator Berger can appear.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on final passage.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1077, entitled:

An Act empowering the Department of Health to regulate the burial of radioactive material and to issue permits therefor and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1129, entitled:

An Act amending the act of June 12 1931 (P. L. 510) entitled as amended "An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" providing for a provisional license.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1207, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1448, entitled:

An Act amending the act of April 23, 1956 (P. L. 1150) entitled as amended "Disease Prevention and Control Law of 1955" allowing the court appointed physicians and physicians of penal institutions to make examinations for venereal disease.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

# BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1537, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing provisions relating to the keeping open of schools.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1731, entitled:

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the borough of West Chester.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill, House Bill No. 1731, is a rather important piece of legislation, and I think we would be remiss in not mentioning, at least in passing, the very purpose of this type of legislation and whom it will affect. There is an area in Senator Harney's District, and one which Senator Harney has been very close to. It is a situation which has been worked on by a number of people, notably, among others, the Secretary of Forests and Waters, Mr. Goddard, and the people with him.

This is a situation where the city of Wilmington—and there must be cooperation not only between states, but between cities—has, like all other cities, butted out into a large suburban area. The area in Chester County,

known as Coatesville, is also butting out into large suburban areas. We have located in that area a very large steel plant, and all of these persons for many, many reasons have use for this water. The water, as it exists there today, is enough to take care of the needs of the people on the Pennsylvania side of the line. The steel plant uses that same water eight or nine times before it is again returned to the stream to continue to flow on. It is only by long range plans that reservoirs are going to be built in that area, and the recreation facilities that are required to go along with this type of thing are going to be completed in that particular area, as well.

We are also going to take up the problem of the needs of the people living in that community, and who will live there in the future, because as the ecology of the city changes and as the entire area changes, many, many people will move into these different areas and will have need for this water and the other resources. Unless we take some action today, the land that we need and the different assets that we need may not be available because of the home building that is going on and, also, because of other problems that the communities have. They may not be aware of providing the land and the needed space for a reservoir.

This is the beginning of a long project which the Legislature is going to have to implement from time to time for the next five or six years, and not only implement it with legislation, but with actual money.

We have gotten the different areas involved to join in and to bear their share in helping to build this type of reservoir and dams in other areas where they are needed and, also, the roads that will be needed to go with this to provide for the coming generations. Therefore, I think this Legislature is taking a step forward in looking toward the future. This is part of the project that is going to start this whole ball rolling to finish the job which will be done perhaps five, ten or fifteen years from now.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1816, entitled:

An Act amending the act of June 20, 1947 (P. L. 745)



entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employees and imposing penalties" changing the times for filing returns.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1822, entitled:

An Act amending the act of March 19 1951 (P. L. 28) entitled "State Council of Civil Defense Act of 1951" making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1953, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" providing that the auditors' report shall be filed by the auditors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Chapman,	Kessler,	Pechan,	Van Sant,
Camiel,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2009, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" further providing for the regulation of parking lots.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2121, entitled:

An Act amending the act of March 1 1867 (P. L. 306) entitled "An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties" providing that the constable and collector hereafter elected shall hold his office for a term of two years.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I draw the attention of the Chair to the fact that today's Calendar particularly, and the Calendars of the last three weeks, have contained a number of bills which amount to special legislation. Although they are specifically worded and, on the advice of the lawyer, perhaps have reasonable classification, nevertheless, there is a saying that hardship cases make poor laws. Certainly we are violating the principles of legislation for everyone equally by constantly making an exception.

I have seen the formula for schools attacked, distinguished from, and made exception to even on the amount of forest land there happens to be in a school district. I think this is a horrible example of special legislation. I refer to House Bill No. 2121, and I think we should so recognize it in this Chamber.

Mr. BERGER. Mr. President, this bill, if I am not misinformed and I am sure I am not, simply extends the term from one to two years of an officer who has had his duties prescribed as collector and constable in that county for many, many years. It is a peculiarity of the officialdom of that county and has been so for time immemorial. The bill only changes the term from one to two years to facilitate and to make more convenient the election of that officer.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

#### YEAS—48

Barr,	Harney,	McMenamin,	Stevenson.
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Murray,	Taylor,
Camel,	Keller,	Pechan,	Van Sant,
Chapman,	Kessler,	Propert,	Wade,
Confair,	Koprivier, Jr.,	Rlpp,	Wagner,
DiSilvestro,	Kromer,	Ruth,	Walker,
Donolow,	Lane,	Rooney,	Watkins,
Ehrgood,	Madigan,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
			Presiding Officer

#### NAYS—2

Mahady, Mullin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2201, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" further regulating obscene exhibitions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ELLIOT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 528), page 2, lines 7 and 8, by striking out "three thousand dollars (\$3,000)," and inserting "one thousand five hundred dollars (\$1,500)"; Amend Sec. 1 (Sec. 528), page 2, line 9, by striking out "three (3)" and inserting: "two (2)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. ELLIOTT. Mr. President, I ask unanimous consent that House Bill No. 2201, Printer's No. 1091, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2237, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ELLIOTT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 524), page 4, line 13, by striking out "felony" and inserting: "misdemeanor"; Amend Sec. 1 (Sec. 524), page 4, line 14, by striking out "three (3)" and inserting: "two (2)"; Amend Sec. 1 (Sec. 524), page 4, line 15, by striking out "three thousand dollars (\$3,000)" and inserting: "one thousand five hundred dollars (\$1,500)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.



On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. ELLIOTT. Mr. President, I ask unanimous consent that House Bill No. 2237, Printer's No. 1188, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### HOUSE BILL No. 660 CALLED UP

Mr. BERGER. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, House Bill No. 660, Printer's No. 1387, which previously went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 660, on third reading, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies for a limited time.

be recommitted to the Committee on Finance.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. WEINER. Mr. President, will the Chairman of the Finance Committee tell the Members of the Senate if these bills are going back to committee, when might we expect some action to be taken by the committee so that we can have a chance to act on these measures, which are revenue raising measures?

Mr. KESSLER. Mr. President, would the Chairman of the Finance Committee tell us when he is planning to hold a meeting, if he can tell us at this moment, so that the Members on this side might be present at that meeting? Not that they would not be present at any moment, but some of us may leave and not have an opportunity to know when this meeting may be held. If the announcement could be made at this moment, we can be sure that all of our people are present.

Mr. KESSLER. Mr. President, if possible, we could hold the meeting on Monday afternoon, interrupting the Senate Session for that purpose, or it might be delayed until Tuesday morning of next week.

Mr. WEINER. I want to thank the gentleman, Mr. President, for his courtesy in answering my questions. I have no further questions.

I would just like to add, for the purpose of the record, that action should be taken quickly on this matter. Although there are annual reports on House Bill No.

661 and House Bill No. 662, and there may be some delay in House Bill No. 660 being enacted due to the amendment already added to the bill, I think we should not delay these measures any longer than is absolutely necessary. Therefore, I urge the Chairman to act with utmost dispatch in disposing of these three measures.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

### HOUSE BILL No. 661 CALLED UP

Mr. BERGER. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, House Bill No. 661, Printer's No. 1369, which went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 661, on third reading, entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time, be recommitted to the Committee on Finance.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

### HOUSE BILL No. 662 CALLED UP

Mr. BERGER. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, House Bill No. 662, Printer's No. 1370, which went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 662, on third reading, entitled:

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as the title insurance or trust companies" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

be recommitted to the Committee on Finance.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.



## SECOND READING CALENDAR

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 142, Printer's No. 102, on second reading go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 184, entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled as amended "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 290, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 398, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the issuance of permits for the movement of certain equipment of excessive size or weight.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employees from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 578, Printer's No. 189, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 598, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" excluding certain contracts of purchases for operation of public works from requirement of advertising and bidding.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid" by making this act apply to turtles frogs and tadpoles changing creel limits and revising methods to taking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1031, Printer's No. 1215; and

Senate Bill No. 1036, Printer's No. 1223.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1037, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

The first section was read.

On the question,

Will the Senate agree to the section?

## REQUEST THAT BILL GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that this bill go over in its order.



Mr. BERGER. Mr. President, I believe that this bill is amply understood by the Members of the Senate, and that we should move it up to Third Reading. Therefore, I object to its going over in order.

The PRESIDING OFFICER. There has been an objection to this bill going over in its order.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bil No. 1065, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1093, Printer's No. 1298;

Senate Bill No. 1094, Printer's No. 1299;

Senate Bill No. 1095, Printer's No. 1300; and

Senate Bill No. 1096, Printer's No. 1301.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skipack Montgomery County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 1472, Printer's No. 640;

House Bill No. 1544, Printer's No. 874; and

House Bill No. 1620, Printer's No. 936.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, House Bill No. 1544 and House Bill No. 1620 were on our Calendar on Second Reading yesterday, and I believe were caucused on by the Minority Party. May I inquire whether that is correct?

Mr. WEINER. That is correct, Mr. Berger. The reason I asked that they go over is because I would like to get some further information on both of these matters.

Mr. BERGER. No objection, Mr. President.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1645, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" further specifying the time for holding meetings of the Game Commission.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1885, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" deleting the limitation on indebtedness for the purpose of erecting a townhouse.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1999, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" further providing for the trapping of beaver.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

### PUBLIC SCHOOL ORGANIZATION CLASS OF SHIPPENSBURG STATE TEACHERS' COLLEGE PRESENTED TO SENATE

Mr. WADE. Mr. President, I have just been advised that representatives from the Public School Organization Class of Shippensburg State Teachers' College, taught by Doctor W. A. Beyers, are today visiting in the Senate.

I request you, sir, to extend the official greeting of the Senate. We are pleased, indeed, that this group, which has pursued their work through the summer, are visiting us.

The PRESIDING OFFICER. The Chair, on behalf of the Membership of the Senate, most certainly extends a cordial welcome to this group. We hope that their stay in Harrisburg will be most educational and enjoyable. I wonder if the group might rise.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHADY. Mr. President, I object to the motion. As I said before, there is one bill which was reported without a committee meeting.

The PRESIDING OFFICER. Does the gentleman object to the reading of all the bills for the first time, or just the one in question that he mentioned previously?

Mr. MAHADY. The one in question.

The PRESIDING OFFICER. Will the gentleman please state the number of that bill?

Mr. MAHADY. Senate Bill No. 1079.

The PRESIDING OFFICER. The Chair hears objection to the reading of Senate Bill No. 1079. The Clerk will read all of the bills with the exception of Senate Bill No. 1079.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 75, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726), entitled "Pennsylvania Loyalty Act," providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act amending the act of July 15, 1919 (P. L. 976, No. 386), entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property . . . by proceedings in eminent domain," authorizing eminent domain acquisition of aviation easements, aerial rights-of-way and other interests in land.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting organizations composed of mothers of men or women who are members of the armed services of the United States during time of combat.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 256, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), designating magistrates, aldermen or justices of the peace before whom informations charging summary offenses may be brought.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act repealing section 650, act of June 24, 1939 (P. L. 872), entitled "The Penal Code," relating to pawnbrokers dealing with minors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind, paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," exempting motor vehicles operated by certain persons subject to the Public Utility Commission and certain Municipality Authorities from fees for certificates of title or registration.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," exempting from the tax the owners or operators of certain vehicles.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act," providing under certain circumstances for the refund of taxes paid on fuel used in vehicles operated by certain persons subject to the Public Utility Commission or by certain Municipality Authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act," providing under certain circumstances for the refund of taxes paid on fuels used in vehicles operated by certain persons subject to the Public Utility Commission and by certain Municipality Authorities and providing for deductions from the amount of moneys paid to counties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 467, entitled:

An Act amending the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including the Italian American War Veterans of the United States, Incorporated, among the veterans organizations entitled to the printing of convention reports.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 470, entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location, care, and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; \* \* \*" authorizing the Italian American War Veterans of the United States, Incorporated, to gather and file data concerning burial places of persons who have served in the military, naval or other combative forces with city commissioners in cities of the first class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 471, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting imitating, selling or offering to sell the labeled artificial flower of the Italian American War Veterans of the United States, Incorporated.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 521, entitled:

An Act authorizing the use of certified mail in lieu of registered mail.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 735, entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947," providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," providing for the investment of funds, clarifying the power of a personal representative to sell with the joinder of the specific devisee, and including the power to pledge in the power to sell.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 737, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," defining conveyance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 738, entitled:

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 739, entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947," providing for the revocation of wills by persons in military service and mariners; and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 851, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), authorizing veterans

to gain residences as electors at homes for disabled and indigent soldiers and sailors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 888, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing expenditures for aviation training.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 889, entitled:

An Act amending "The Aeronautical Code," approved May 26, 1933 (P. L. 1901), amending, and adding definitions; revising text to conform; and authorizing expenditures for aviation training.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries; granting powers and imposing duties on the Orphans' Court; and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians; providing for the administration of funds so established; and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1001, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," requiring the Auditor General to perform audits of school districts to verify rights to reimbursements and imposing duties on the Department of Public Instruction.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1049, entitled:

An Act amending the act of May 23, 1945 (P. L. 913), entitled "Professional Engineers Registration Law," further defining the practice of engineering and authorizing registration of certain qualified persons without examination.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138),

entitled "An act providing for payment of costs in criminal cases by the proper county," providing for payment of costs in non-support cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act amending the act of May 10, 1951 (P. L. 279), entitled "An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto," changing and clarifying provisions relating to fees, procedures and enforcement; permitting intra-state use of the act; providing for the registration and enforcement of foreign support orders; . . .

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing public authorities to reduce speed limits on streets which are not through highways of main arteries of traffic.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employees of the bureau of fire in cities of the second class; . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire; and further regulating pensions of reinstated members.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1066, entitled:

An Act authorizing an interstate compact concerning detainers and for related purposes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the reassessment of property in certain cases, and imposing liability for county taxes upon the owners thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 392), entitled "An act requiring that meetings



of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public," requiring public notice of such meetings and prescribing penalties.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1089, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees in connection with motor vehicles.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1143, entitled:

An Act amending the "Business Corporation Law" approved May 5, 1933 (P. L. 364), providing for the corporate name, the contents of the articles of incorporation and articles of merger; prescribing the method of cancelling treasury shares and the manner of giving notice of the winding up proceedings.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1144, entitled:

An Act amending the "Nonprofit Corporation Law," of May 5, 1933 (P. L. 289), providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1145, entitled:

An Act amending the act of June 8, 1911 (P. L. 710), entitled "An Act to regulate the doing of business in this Commonwealth by foreign corporations; . . ." providing for the withdrawal from business and the surrender of the certificate of authority.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1177, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

The Senate proceeded to the first reading and consideration of House Bill No. 1179, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for powers responsibilities, duties and limitations of the Governor; \* \* \* including the Pennsylvania Air National Guard within the provisions of this act.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1297, entitled:

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof . . . ." granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1430, entitled:

An Act repealing section 1033, act of May 1, 1929 (P. L. 905), known as "The Vehicle Code," and its amendments, related to carryin of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1483, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Society of the 28th Division A.E.F. Inc. to help defray the costs of Memorial Day and Armistice Day and authorizing burial places of military, naval and other personnel with the county commissioners.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1528, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. ) No. 32, directing the issuance of special

registration plates for suburban motor vehicles and prescribing the fee thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1566, entitled:

An Act amending the "Orphans' Court Act of 1951," approved August 10, 1951 (P. L. 1163), conferring exclusive jurisdiction of control of decedent's burial on the orphans court, and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1577, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicles by dealers in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1892, entitled:

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; \* \* \*," giving the court jurisdiction in the trial of indictments for arson and burglary.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1903, entitled:

An Act to prohibit discrimination in employment by the Commonwealth, its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2031, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), increasing the amount of contracts in which borough officials may have no interest.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2049, entitled:

An Act amending the "Local Tax Enabling," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2162, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, (P. L. 233), regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 37, 40, 128, 170,  
171, 172, 325, 424, 434 and 941

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 37, Printer's No. 1165, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) entitled 'The First Class Township Code' authorizing temporary investment of township funds."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 40, Printer's No. 40, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' authorizing appropriations for handling storage and distribution of surplus foods."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 128, Printer's No.



137, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' authorizing boroughs to acquire and maintain historical property and permitting borough planning commissions to make recommendations in relation thereto."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 170, Printer's No. 1053, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' providing that the zoning board of adjustment must give their decision within forty-five days."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 171, Printer's No. 1172, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' providing that the zoning board of adjustment must give their decision within forty-five days."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 172, Printer's No. 1173, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) entitled 'The First Class Township Code' providing that the zoning board of adjustment must give their decision within forty-five days."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 325, Printer's No. 1168, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' authorizing the supervisors in certain cases to construct or contribute money for ponds or dams for the purpose of providing water for fire protection."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 424, Printer's No. 1243, entitled "An Act amending the act of April 12, 1951

(P. L. 90) entitled 'Liquor Code' further regulating the issuance and transfer of liquor licenses."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 434, Printer's No. 613, entitled "An Act amending the act of June 21, 1937 (P. L. 1982) entitled 'An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record authorizing the courts of common pleas to prescribe and adopt local rules not inconsistent with such general rules of the Supreme Court of Pennsylvania authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committee and to fix and define its powers and duties imposing duties on judges and other officers of every court of record' granting the power to prescribe rules of practice and procedure in civil matters in the courts of quarter sessions."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 941, Printer's No. 1176, entitled "An Act to commission posthumously Edwin L. Drake in the Pennsylvania National Guard."

DAVID L. LAWRENCE.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 875, Printer's No. 892;  
House Bill No. 876, Printer's No. 838;  
House Bill No. 941, Printer's No. 900;  
House Bill No. 1035, Printer's No. 291;  
House Bill No. 1360, Printer's No. 630; and  
House Bill No. 1579, Printer's No. 894.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, August 26, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:10 o'clock, p. m., Eastern Standard Time, until Wednesday, August 26, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, August 25, 1959

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious God, for the bounties of life we are deeply grateful and come to Thee this day with thanksgiving in our hearts. As we pray for Thy blessing upon this General Assembly, we are cognizant of Thy continued pressure and guidance throughout life. Grant to them, we humbly pray, such a measure of Thy grace, that by trusting Thee and following Thy direction they may find peace for themselves and continued prosperity for those whom they represent. In the name of Jesus Christ, our Lord. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, August 24, 1959 will be postpone until printed.

The Chair hears none.

## SENATE MESSAGE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

## SENATE BILL No. 283.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" providing for special elections in case of tie votes in certain county-wide elections.

Referred to the Committee on Elections and Apportionment.

## SENATE BILL No. 1034.

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" requiring the use of 1957 valuations in determining reimbursement fractions for the 1960-1961 school year.

Referred to the Committee on Education.

## SPECIAL ELECTION

The SPEAKER laid before the House the writ of special election to be held in the County of Allegheny.

The writ was read by the Clerk as follows:

## COMMONWEALTH OF PENNSYLVANIA, ss:

To Hon. John S. Rice, Secretary of the Commonwealth, and to John J. Kane, Howard B. Stewart and John M. Walker, constituting the Board of Elections of Allegheny County:

Greeting: Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Fifteenth Legislative District of the County of Allegheny, caused by reason of the death of John R. Haudenshield, one of the Representatives from said District, on the twenty-sixth day of July, one thousand nine hundred fifty-nine.

Now, Therefore, I, Hiram G. Andrews, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made

and provided, do hereby command you: That you cause an election to be held in the said County of Allegheny on the third day of November, A. D. one thousand nine hundred fifty-nine, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania, for the remainder of the term expiring December first, one thousand nine hundred sixty, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 19th day of Aug. A. D. one thousand nine hundred fifty-nine.

Hiram G. Andrews  
Speaker of the House of Representatives  
J. Ominsky  
Chief Clerk of the House of Representatives

## COMMONWEALTH OF PENNSYLVANIA

## COUNTY OF DAUPHIN

SS:

Roy L. Brungard being duly sworn according to law, says that he resides at 3228 Green Street, Harrisburg, Dauphin County, Pennsylvania, that he is a Sergeant-at-Arms in the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Honorable John S. Rice, Secretary of the Commonwealth of Pennsylvania, on the 20th day of August, 1959, at 4:07 o'clock P.M., at his office in the Capitol Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the Fifteenth Legislative District of Allegheny County, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

(s) Roy L. Brungard  
Sergeant-at-Arms

Sworn and subscribed to before me this 20th day of August, 1959.

(S) Dorothy M. Ionni

Notary Public

My commission Expires Feb. 3, 1963  
Harrisburg, Pa. Dauphin County

## COMMONWEALTH OF PENNSYLVANIA

## COUNTY OF DAUPHIN

SS:

Paul N. Tighe, being duly sworn according to law, says that he resides at 113 Shaler Street, Pittsburgh, Allegheny County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Board of Elections of Allegheny County, on the Twenty-first day of August, 1959, at 10:45 o'clock, A.M., at its office in Pittsburgh, a writ for a special election of the office of Representative in the General Assembly for the Fifteenth Legislative District of Allegheny County by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

(s) Paul N. Tighe  
Sergeant-at-Arms

Sworn and subscribed to before me this 21st day of August, 1959.

(s) Dorothy M. Ionni,

Notary Public

My commission Expires Feb. 3, 1963  
Harrisburg, Pa. Dauphin County

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 875.

An Act amending the act of June 3, 1943 (P. L. 847)



entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind \* \* \*" further regulating leases made to blind persons.

#### HOUSE BILL No. 876.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating relations between the State Council for the Blind and organizations for the blind.

#### HOUSE BILL No. 941.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

#### HOUSE BILL No. 1035.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing that the civil service provisions of the act shall not apply to the retirement of police and firemen.

#### HOUSE BILL No. 1360.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) giving powers to and imposing duties on the Department of Health in connection with rehabilitation of persons with hearing or speech defects.

#### HOUSE BILL No. 1579.

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) requiring that the commission permit certain promotions.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

### HEAD OF DEPARTMENT OF PUBLIC INFORMATION OF NIGERIA WELCOMED

The SPEAKER. We have present in the Hall of the House as the guest of the lady from Philadelphia, Mrs. Varallo, and also the guest of the Speaker, an interesting visitor. He is head of the Department of Public Information in Nigeria.

The Chair is calling attention to some slight difference in the practices in Nigeria and the practices here. The purpose of the Department of Public Information in Nigeria is to popularize and sell to the people the acts of the government. We have no such department in Pennsylvania. We have, however, a cortege of people who have nominated themselves as part of the department of information. They are members of the press, each one a head of the department of information according to his own liking, and we also have the gentlemen who do the commenting on the television and radio. They also have appointed themselves, each one head of a department of information. But, at any rate, we have as our visitor, Ade Thanni, head of the Department of Public Information from that interesting Republic, Nigeria.

I thank the gentleman and hope, because he is observing us closely as to our parliamentary manners, he will bear a good report to the people back home.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. SAKULSKY for the remainder of the week because of illness.

Mr. Tompkins for Mr. SNARE for the remainder of the week.

### BILLS REPORTED FROM COMMITTEE

Mr. CIOFFI from the Committee on Highways, reported as committed, House Bill No. 14, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge over the Ohio River between the Borough of Monaca and the Borough of East Rochester in Beaver County; \* \* \*.

Mr. CAPANO from the Committee on Welfare, reported as committed, House Bill No. 1604, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), providing for review of the determination of financial ability to pay costs of care in State-owned medical and surgical hospitals.

Mr. CAPANO from the Committee on Welfare, reported as committed, House Bill No. 1605, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing for review of the determination of financial ability to pay costs.

Mr. NEEDHAM from the Committee on Welfare, reported as committed, House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers, conferring powers and imposing duties on the Department of Public Welfare.

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 1821, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), relieving cities and the counties in which they are located from payment of damages occasioned by, and costs of construction, reconstruction, repair and maintenance of, certain bridges and viaducts.

Mr. BONNER from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2020, entitled:

An Act amending the act of May 26, 1949 (P. L. 1486), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

Mr. AUKER from the Committee on Judiciary, reported as committed, House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469), entitled "An act providing for commissioning as police officers certain employees of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constable in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups," extending its provisions to The Pennsylvania State University.

Mr. AUKER from the Committee on Judiciary, reported as committed, House Bill No. 2193, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), extending the provisions relating to



trespassing on grounds of State institutions to The Pennsylvania State University.

Mr. FINEMAN from the Committee on Judiciary, reported as committed, House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims; providing for appeals to the Supreme Court; providing for salaries of the members of the Board, the procedure to be followed; and further providing that the Commonwealth consents to be sued upon contract claims.

Mr. DEVLIN from the Committee on Rules, reported as committed, House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

Mr. STROUP from the Committee on Education, reported as committed, House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), providing for levying assessment and collection of taxes by certain independent school districts.

Mr. STROUP from the Committee on Education, reported as committed, House Bill No. 2261, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the levying and collection of taxes by certain independent school districts.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 2321, entitled:

An Act authorizing the Dept. of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres of land in Bensalem Township, Bucks County, and 13.34 acres of land in Somerset Township, Somerset County, in exchange for two tracts containing 109.87 acres of land, situate in Somerset Township, Somerset County.

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township, Chester County, Pennsylvania, now used for purposes of the Embreeville State Hospital, Embreeville, Pennsylvania, to the Department of Public Instruction.

Mr. MUSTO from the Committee on Rules, reported as committed, Senate Bill No. 373, entitled:

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 756, entitled:

An Act amending the act of April 25, 1929 (P. L. 723)

entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" increasing the investment powers.

Mrs. ANDERSON from the Committee on Welfare, reported as committed, Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

Mr. GAILEY from the Committee on Education, reported as committed, Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

Mrs. KOOKER from the Committee on Professional Licensure, reported as amended, House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture; fixing fees; creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

Mr. EILBERG from the Committee on Judiciary, reported as amended, House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing that evidence of mental condition may be submitted by deposition or affidavit of a physician of any city-owned hospital or institution.

Mr. EILBERG from the Committee on Judiciary, reported as amended, Senate Bill No. 356, entitled:

An Act amending the act of February 28, 1956 (P. L. 1154) entitled as amended "Incompetents' Estates Act of 1955" providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

## BILLS RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Liquor Control, House Bill No. 1971, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class, under certain conditions.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Liquor Control, House Bill No. 1996, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), permitting the transfer of restaurant liquor and restaurant retail dispenser licenses anywhere within the same county.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

Mr. SCHWARTZ from the Committee on State Government, returned with the recommendation that it be re-



referred to the Committee on Appropriations, House Bill No. 430, entitled:

An Act making an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as a resort and travel area.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

Mr. SCHWARTZ from the Committee on State Government, returned with the recommendation that it be referred to the Committee on Appropriations, House Bill No. 431, entitled:

An Act making an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as an industrial State.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 14, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge over the Ohio River between the Borough of Monaca and the Borough of East Rochester in Beaver County; \* \* \*.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1604, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), providing for review of the determination of financial ability to pay costs of care in State-owned medical and surgical hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1605, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing for review of the determination of financial ability to pay costs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers, conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1821, entitled:

An Act amending the "Public Utility Law," approved

May 28, 1937 (P. L. 1053), relieving cities and the counties in which they are located from payment of damages occasioned by, and costs of construction, reconstruction, repair and maintenance of, certain bridges and viaducts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2020, entitled:

An Act amending the act of May 26, 1949 (P. L. 1486), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469), entitled "An act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups," extending its provisions to The Pennsylvania State University.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2193, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2209, entitled:

An Act providing for adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims; providing for appeals to the Supreme Court; providing for salaries of the members of the Board, the procedure to be followed; and further providing that the Commonwealth consents to be sued upon contract claims.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), providing for levying assessment and collection of taxes by certain independent school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2261, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the levying and collection of taxes by certain independent school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2321, entitled:

An Act authorizing the Dept. of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres of land in Bensalem Township, Bucks County, and 13.34 acres of land in Somerset Township, Somerset County, in exchange for two tracts containing 109.87 acres of land, situate in Somerset Township, Somerset County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township, Chester County, Pennsylvania, now used for purposes of the Embreeville State Hospital, Embreeville, Pennsylvania, to the Department of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 373, entitled:

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 756, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and of-

ficers of the State Government" increasing the investment powers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## APPROPRIATION BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1755, entitled:

A supplement to the act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general



maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Training School at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1779, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2230, entitled:

An Act making an appropriation to the Department of

Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, we are ready for the first bill to start. I am going to send for the Motor Vehicles Committee so they will be on the first roll call. I would like to announce to the House that we will break for a thirty-minute period for lunch at 1:30 to 2:00, Daylight Saving Time. We will take thirty minutes for lunch and then come right back here and work until, very likely in the neighborhood of 6:00 or 7:00 p.m.

### PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, I know that it has been customary over the years for us to offer resolutions on the birthday of outstanding Members of this House. I think we have avoided it on most occasions this Session.

I would like to avoid it today, although we do have one Member on our side of the House, a rough, gruff, lovable Member of this House who has a birthday today, and I would like to ask Dr. Dengler if he will lead us in bringing him greetings. I am referring to the gentleman from Dauphin, Mr. Hocker.

The SPEAKER. Does the Chair understand that the gentleman from Dauphin has a birthday?

Mr. HELM. This is one of the very few occasions that he will admit it, but I caught him in a weak moment last night and he did tell me today was the day.

The SPEAKER. Since there is no possibility of avoiding it, the Chair asks the choir leader to proceed.

Mr. DENGLER. Mr. Speaker, recently this gentleman has been given the very special title of Colonel, so I'm going to ask you to sing "Happy Birthday, Colonel."

Members joined in singing "Happy Birthday."

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Hocker.

Mr. HOCKER. Mr. Speaker and my fellow Members, I thank you all. I want to say I am very happy that you people can all be with on my 82nd? birthday—at least I feel that old this morning. This is a rare privilege for me to be with the people who I think belong to the greatest fraternity in the world, the House of Representatives of the Commonwealth. I have been with you quite a while and I have enjoyed you, and I hope if the Good Lord is willing and the voters are able, I'll spend many, many more years with you. Thank you.

The SPEAKER. As the poet observed, "Age cannot wither his infinite variety."

Mr. McCANN. Mr. Speaker, I would just like to say to the gentleman from Dauphin, who today has his birthday, that I also bring him greetings from the great state of Kentucky, from the Colonel's organization. I hope he feels like a Colonel in the great state of Kentucky. We who are members of the Colonels' Association, especially on this side, would be most pleased if he would consider going to Kentucky, not just for a visit, but to enjoy the hospitality of that great state in which they made him a Colonel.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Hocker. Is there a general in the House?



Mr. HOCKER. Mr. Speaker, I can only say to my good friend, Colonel McCann, that I hope some day he and I will be able to go to Kentucky, not to stay, but to see those horses run, and at least look at a mint julep. I say to you, Steve, that it is good I wasn't in Kentucky last week or you would have been short one.

The SPEAKER. The Chair would like to make this observation: It is not necessary for them to journey to Kentucky; we can arrange to import a sufficient quantity of Southern Comfort right here to Pennsylvania.

### APPROPRIATION BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1777 on page 16 of today's calendar, appropriation third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1777, entitled:

An Act making appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—193

Agnew,	Frascella,	Lutty,	Renwick,
Anderson,	Fulmer,	McCandless,	Rigby,
Arlene,	Galley,	McCann,	Riley,
Ashton,	Gallagher,	McCormack,	Rovasek,
Auker,	Garlock,	McDonald,	Royer,
Balthaser,	Gelfand,	McInroy,	Rudisill,
Barton,	George,	McKeever,	Scarcelli,
Bell,	Gibb,	McLaughlin,	Schuster,
Boles,	Goldstein,	Machmer,	Schwartz,
Bonner,	Goodrich,	Magee,	Seltzer,
Boris,	Gramlich,	Mahan,	Sherman,
Bower,	Guthrie,	Markley,	Shupnik,
Bowman,	Hamilton,	Maxwell,	Silverman,
Branca,	Heavey,	Meholchick,	Snider,
Brenninger,	Heffner,	Merry,	Stank,
Breth,	Helm,	Mihm,	Steckel,
Brown,	Henzel,	Miller, B. Z.,	Stevens,
Buchanan,	Hocker,	Monroe,	Stewart,
Burns,	Holliday,	Muldowney,	Stimmel,
Capano,	Holt,	Mullen,	Stone,
Capitolo,	Horst,	Munley,	Stoner,
Cianfrani,	Irviss,	Murphy, A. J., Jr.,	Strausser,
Cioffi,	Isaacs,	Murphy, P. J.,	Stroup,
Clarke,	Jenkins,	Murray, H. P.,	Taylor,
Comer,	Jim,	Murray, J. J.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Curwood,	Johnson, R.,	Musto,	Ujobal,
Davis,	Jones, F. R.,	Naugle,	Varallo,
Dengler,	Jones, T. H. W.,	Needham,	Verona,
Dennis,	Jump,	Nelson,	Wall,
Dennison,	Kamyk,	O'Dell,	Walsh,
Devlin,	Kee,	O'Donnell, J. A.,	Wargo,
Donahue,	Keiser,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kernaghan,	Odorisio,	Welsh,
Down,	Kessler,	Ogilvie,	Wheeler,
Edwards,	Knecht,	O'Neil,	Whittaker,
Eilberg,	Kooker,	Parlante,	Williams, A.D., Jr.,
Eshback,	Kornick,	Pashley,	Williams, E. S.,
Eshleman,	Korras,	Perry, H. H.,	Willard,
Ewing,	Kovolenko,	Perry, P. E.,	Willaredt,
Farabaugh,	Kubitsky,	Petrosky,	Wilt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Wynd,
Fineman,	Lee, K. B.,	Prendergast,	Yatron,
Floyd,	Leonard,	Price,	Yetter,
Flynn,	Light,	Pursley,	Zimmerman,
Foerster,	Limper,	Reibman,	Andrews,
Fox,	Lippincott,	Reidenbach,	Speaker
Frank,	Lopresti,		

### NAYS—1

Schaaf,

### NOT VOTING—14

Blair,  
Cooper,  
Donaldson,  
Luigard,

Miller, H. G.,  
Mills,  
Moran,  
Sakulsky,

Snare,  
Sullivan,  
Thompson,

Varner,  
Wescott,  
Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON. Mr. Speaker, at this time with the Appropriation Bill being on the calendar, this being the General Appropriation bill and being on third reading, I wish to state what the policy will be at least with respect to this bill on this side of the House.

We do not expect to fight the bill or to offer amendments to change it in any way. We have a subcommittee in the Senate which has been doing an outstanding job in studying the budget, and when this bill reaches the Senate there will be certain recommendations that they will make to the Senate Committee on Finance, and if the recommendations for change are accepted by that Committee the battle of the budget, you might say, will be held in the Senate, on the Senate floor. As you know, last Session the battle was here in the House, we fought it for, I believe, three days, about 18 hours a day.

We cannot on this side, at this time, really offer amendments to the bill. We are in the minority and without the facilities of knowing what is going on in the several departments, we really do not know the true answer as to the adequacy or not of the appropriations.

The hearings, while you people promised full, complete and a new type of hearings, with the information being spread in great detail so that we would know what actually was going on in the several departments, actually your hearings were perfunctory in nature, were of a rubber stamp character, were superficial in nature, were held on an assembly streamlined basis, and were conducted late in the Session, with a hammer on our heads to try to get them over with, and therefore we are not able on this side to really do anything about the bill.

We are, therefore, going to send the bill over to the Senate, and naturally if the amendments that they insert or do not insert prevail in the Senate, it is quite likely that the bill will end up in a Conference Committee. Suffice it to say that we know that the bill pretty generally covers the Governor's Budget, and it is a matter of just simple arithmetic that the bills, when they are all finally sent to the Senate will be from \$250 to \$270 million more than the appropriations which this General As-



sembly voted Governor Leader for his last two years.

With that statement I would say that we on this side of the House expect to vote for the bill and send it over to the Senate.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from McKean, Mr. Johnson, the Minority Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman inform the House if at any time he, himself, or any member of the Appropriations Committee, or any Member of the House, requested any information regarding any item, that they did not receive the information promptly and efficiently?

Mr. A. W. JOHNSON. Mr. Speaker, my answer is that the type of hearing you conducted was this: Mr. Polen would ask the Department head, how much is your budget figure? It is so-many dollars? Does it agree with the Governor's Budget? Yes, it does. Are you satisfied with the Budget? No, we want more. And, that was the end of it.

Mr. McCANN. Mr. Johnston—

Mr. A. W. JOHNSON. Let me answer the question. The answer to the question is that in the absence of the plaintiff making out a case, and you being the plaintiff, setting out in detail just how many employees there are, just what their salaries were and what they intended to do with the money with particularity, then you would shift the burden and all you would say is, is that what you want, is it agreeable to the Governor's Budget? Then you would say to the gentlemen on our side of the House, do you have any questions? Well, they can ask a few questions, but in 15 or 20 minutes or an hour or an hour and a half, there is not very much they can do about \$165 million for instance, for all the mental hospitals. We are hoping that that is adequate. We certainly do not want to skimp on the mental institutions, but how do we know whether \$165 million is enough or is not enough?

Mr. McCANN. Well, Mr. Speaker, will the gentleman from McKean answer the question. Has there been any time in the Appropriations Committee hearings conducted by the Chairman, Mr. Polen, in which you or any member of the Appropriations Committee or any Member on the Republican side of the House, has asked a question, regarding any matter, that he has not received the information he was seeking?

Mr. A. W. JOHNSON. Mr. Speaker, with the prefatory remarks that I made, and our lack of knowledge of what to do about it, I would say that we were not denied the information. I think that is fair.

Mr. McCANN. Then the answer would be yes?

Mr. Speaker, would the gentleman then inform us, if you were given all the information, any that you requested, are you saying that you were not in a position to discuss the budget, not knowing what was in it?

Mr. A. W. JOHNSON. When?

Mr. McCANN. At any time when the hearings were conducted during the period that they were being conducted.

Mr. A. W. JOHNSON. Mr. McCann, I will stand on my first answer as to the type of hearings, the availability of

information, and the problem which is presented to the minority in any case.

Mr. McCANN. Will the gentleman inform the House then that according to the information we received here today, and that you have stated other times in public debate, that you are not in a position to offer any amendments regarding the bill, but that the Senate, or the other Chamber will make whatever amendments may be made to this bill.

Mr. A. W. JOHNSON. I said that in my opening remarks.

Mr. McCANN. Then the leadership on the Republican side of this House is not prepared to offer any amendments to the bill at this time?

Mr. A. W. JOHNSON. For the reasons stated, and because of the fact the auditing job has been done by a subcommittee in the Senate, the amendments will be offered in the Senate Committee. That is correct.

Mr. McCANN. Then, Mr. Speaker, the gentleman is stating that an agreement exists between the Members of the House and the Members of the Senate that the Senate would make whatever amendments would be placed in this bill?

Mr. A. W. JOHNSON. I would say that is pretty generally correct. I say it with the understanding that there is no firm agreement. We did offer amendments yesterday, just on a test to put in a line budget for the several institutions and it failed on a straight party vote.

Mr. McCANN. Mr. Speaker, I have in front of me one particular example where the gentleman spoke regarding the budget. The gentleman, Albert W. Johnson, said "We Republicans will cut approximately \$60 million from the budget and create a savings of approximately \$100 million before we're through."

Mr. A. W. JOHNSON. That is an accurate quote.

Mr. McCANN. This is a quote in the newspaper in which you are talking about the budget which is the General Appropriation bill?

Mr. A. W. JOHNSON. Not necessarily. It could well be the entire budget of \$1.907 billion.

Mr. McCANN. Well, according to these remarks in prior public debate in various parts of Pennsylvania, in which the gentleman speaks about the budget and taxes, does he not indicate in these speeches that, using the word plural "we," that you will make a cut of approximately some \$60 odd million in the Appropriation bill?

Mr. A. W. JOHNSON. I am referring to the Republican party, and more specifically I am referring to the Senate Finance Committee. That is correct.

Mr. McCANN. Mr. Speaker, I would like to have the gentleman explain to the House in his opinion the statement that he made that the Chairman of the Committee on Appropriations and the Appropriations Committee itself or its members, that this was a rubber stamp—is that the word he used?—rubber stamp approval.

Mr. A. W. JOHNSON. I would say so. I said that.

Mr. McCANN. Would the gentleman explain it again?

Mr. A. W. JOHNSON. The budget was released by the Governor, was received by the Appropriations Committee, you started your hearings pretty near the first of June, you scheduled them, in some cases, 15 minutes apart. You may interrogate any Member on our side who attended these hearings, and the usual request by the Chairman was, what is your budget figure? It is X dol-



lars? Does it agree with the Governor's Budget? Yes, it does. Are you satisfied with the figure? Well no, not exactly, I would like more. Then he would say, any questions from the Republicans and that would be about the extent of the hearing. The Health Department hearing lasted about an hour and a half, as I understand it, A huge department asking for many, many millions of dollars.

Mr. McCANN. Then the gentleman's interpretation of the hearing was that he believes they were not conducted properly, that the opportunity to question or inquire into any appropriated amounts was denied at any time to any member of the Committee, or any outsider?

Mr. A. W. JOHNSON. No. If you will read the record of what I have said on this floor so far this year, I interrogated Mr. Polen when the Budget came down. I said, Mr. Polen what kind of a hearing are you going to conduct this time, are they going to be different, are you going to get us some information that we have not gotten before, are they just going to be perfunctory hearings that will tell the Committee anything so there will not be anything we can put our teeth into.

He said at the microphone, no, we are going to have a different hearing this time. We are going to get some real information, we are really going to let the public know. Let me tell you, I have been around this state, and the public wants to know where this money is going to go. Every place I go they say for goodness sake what is the matter with you people down there, you are going crazy with the way you are spending the taxpayers' dollar. So, we felt that the hearings would be different, that you would maybe say how many employes there are, what are their jobs, are they necessary, how many trucks do you have in the Department, how much are they going to cost, why are you going to need \$5 million for this—you just save that money this time? Something like that, is there any way that you can squeeze \$50 million out of this budget? Do you absolutely have to have it? That is what we would like to have known and that is what the people want to know. But conducting your hearings in the last week of May and hurrying them up so they would end before the end of June, you could not get that kind of information out of a \$2 billion budget. I would say that it would have been nice if, following those hearings, if you were going to do it differently, and you got some real sound concrete information for it you could have given every Member in this House a mimeographed sheet every day of what took place, how much money you were going to save if any, so that we could intelligently know exactly what was going on.

Mr. McCANN. Now, Mr. Johnson—

Mr. A. W. JOHNSON. Let me finish. So when Mr. Polen says I am going to do something different, it is going to be sensational and you are really going to know something about this budget, we expected something.

Mr. McCANN. Now, Mr. Johnson—

Mr. A. W. JOHNSON. And I will refer to any member on that Appropriations Committee on that side of the House, and they did do some cross-examining. I know I attended only one hearing. I am sorry I was so busy on other matters, but I had a representative there. I did attend the hearing when Park Martin was there and I thoroughly cross examined him myself and gleaned some pretty good information out of him, yes I did, but we

had to pry for it and then after he, as I told you, after the hearing was over, then the Governor changes everything he said in the next three days.

Mr. McCANN. Mr. Pohnson, now will you answer the question? Any of those points that you brought up at any time, were any of the questions not answered? How many trucks do you need? How many trucks do you have? How many people do you now employ? Can you get along with less people? How many people are not now employed in this department? You attended one hearing.

Mr. A. W. JOHNSON. Yes, but I had able people there.

Mr. McCANN. You attended no hearings on a general fund budget at anytime. Now, will you answer—

Mr. A. W. JOHNSON. I said that but I had able people there who reported to me exactly what took place.

Mr. McCANN. And that is exactly the point I am coming to. Will those people deny, at any time, that they did not get any information they asked to every question that they asked?

Mr. A. W. JOHNSON. No, they are not denying that, but there were people waiting out in the halls for the second hearing and \* \* \*

The SPEAKER. Will the gentlemen channel their repartee to the Chair. They are interrupting each other.

Mr. McCANN. Mr. Speaker, will the gentleman from McKean tell us if these hearings were not different in this way: You did not have to be a member of the Appropriations Committee to attend the meeting and have a right to ask any question you wanted to ask. Is that not true?

Mr. A. W. JOHNSON. I believe that Mr. Helm wants to take the microphone. I will yield to Mr. Helm.

The SPEAKER. The gentleman from McKean yields to the gentleman from Armstrong, Mr. Helm.

### POINT OF ORDER

Mr. HELM. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. HELM. Mr. Speaker, the interrogation was concerning what took place in a Committee of this House and not on the appropriation bill itself.

Mr. McCANN. Mr. Speaker, I am talking about the hearings that took place pertaining to what is now 2326, the General Appropriation bill. I have never spoken about any nonpreferred or any highway funds, only the hearings pertaining to the departmental heads, which are a part of this bill.

The SPEAKER. The Chair will call to the attention of the gentleman from Armstrong that those hearings were public hearings at which there were present persons not members of the Committee, and at any meeting of the Committee that was a public hearing and the proceedings would not be questioned in the opinion of the Chair.

Mr. HELM. I beg to differ with the Chair. They were not public hearings. They were hearings held by invitation of the Chairman of the Committee, who invited people to appear before that Committee. I say to the Chair that the discussion we are hearing here today is a discussion of things that took place in that Committee.

Mr. McCANN. Mr. Speaker, I bring to the attention of the gentleman from Armstrong, Mr. Helm, that at the eight hearings I attended, there were members of the



Press at the hearings. I assume that those hearings were public hearings even though they were by invitation to the department head and his staff who were before the Committee at that time. I ask the ruling of the Chair then if these were not public hearings.

Mr. HELM. Mr. Speaker, I question the gentleman's statements in that he said the general public was not invited to attend the hearings.

The SPEAKER. The Chair would desire to ask the Chairman of the Appropriations Committee as to whether the gentlemen of the Press and any other person who so desired either were privileged to be present or were present?

Mr. POLEN. Mr. Speaker, the hearings here public hearings. The Press was invited to be present and in many cases other interested parties were present. Now, members of the Republican staff were present and many people whom I did not even know.

The SPEAKER. There is an interesting precedent on a motion which the Chair would ask the privilege of reading.

On a motion to discharge a Committee from further consideration of a House Bill, the point of order was raised that the gentleman divulged to the House the conduct or action of the Committee, which took place in the committee room. The Speaker ruled that it is out of order to divulge the proceedings that take place within the doors of a committee room, and decided the point of order well taken.

(Legislative Journal, March 16, 1921, Page 705.)

But that is when the meeting of the committee is meeting to which the Press has not been invited and to which the public is not privileged to attend. The Chair would have to hold that if the gentlemen of the Press were in attendance, it most certainly was a public meeting.

Mr. HELM. Mr. Speaker, my point of order was not raised on the fact that the hearings were private hearings. The point of order that I raised was that neither gentlemen was speaking on the bill itself. They were speaking on what transpired at a committee meeting of this House.

The SPEAKER. The Chair will hold that we have been very liberal in permitting Floor Leaders to indulge in debate which we would not have been so willing to countenance if the two persons had not been Floor Leaders. The Chair thinks they have transgressed the privilege and the rights that they have as Members and that they were discussing mechanics that were not pertinent to the merits of the bill.

Mr. HELM. I thank the Chair.

Mr. McCANN. Mr. Speaker, in the situation as you presented it to the House and raised in the point of order by Mr. Helm from Armstrong, the Minority Floor Leader had no right to start out about the committee hearings. I am speaking on House Bill 2326, Printer's No. 1417, and at no time was I going to talk on anything except that which is within this bill and the hearings that were held as a part of this bill.

The SPEAKER. The Chair would agree with the Majority Leader that the discussion on the character of the hearings was not germane to the merits of the bill but, as the Chair said, because the controversy was between the Floor Leaders, the Chair was not inclined to intervene; but will say that the merits of the bill are one thing and

the proceedings by which the decision was arrived at was another thing. The discussion of the procedure in the Committee was not germane to the consideration of the merits of the bill.

Mr. A. W. JOHNSON. May I make a statement on that please?

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. A. W. JOHNSON. Mr. Speaker, the reason why I made the statement was to inform the House that we did not intend at this time to fight the battle of the budget on this floor on this side of the House. It would save two or three days, and I felt that I was not really talking on the bill. I grant you I was making a statement as to what our policy would be so the work of the day could proceed and the Floor Leader and everybody would know what our policy was, and in enunciating the policy I stated the reasons therefor.

Mr. McCANN. Mr. Speaker, since the gentleman in stating the policy of his party regarding House Bill 2326 led into the field of the committee hearings, I felt that it was only right that the record clearly showed our position regarding those hearings. This would never have come up had he not brought the point up in discussing the bill before the House.

House Bill 2326 is a General Appropriation bill, which we believe to be the bill needed for the appropriation of the funds to the various departments, agencies and offices to operate the Commonwealth and its service that it must render for the biennium of 1959 to 1961, one in which there have been changes within the bill, some increased and some decreased.

I think that the Chairman on the Committee on Appropriations, Mr. Polen, and the Appropriations Committee have done an outstanding job, in presenting the figures that are now in this bill, the General Appropriation bill. It is a piece of legislation which we all know must be passed and actually signed by the Governor to operate our various departments, offices and agencies in the Commonwealth to provide those services that we in the Commonwealth must render to the people themselves, to provide the money that the General Appropriation bill provides for the various areas and services within our Commonwealth. It is a bill which we believe is not even sufficient in funds and certain categories to carry out now in the 1959-61 biennium those service which we would like to have for the people in the various parts of this Commonwealth.

We believe that this appropriation bill is a very sound appropriation bill, well thought out, well covered in all the hearings and, as presented here in the House today, a bill in which we believe and, I am sure, you do. There are many who would seek to increase some sections of the bill and others who would seek to decrease certain sections of the bill. This is the bill that does for many so much that we must provide the taxes to pay for, the General Appropriation bill, not the bill in which money is wasted or appropriated to be used unwisely, but to be used very discreetly to operate bureaus and departments, and to operate them within the budget. Each of these items is extremely important, some statewide, some only in certain areas, but this is the bill which includes, without a doubt, the greatest amount of services that



the Commonwealth must pay for and this is the appropriation that provides that money.

Mr. Speaker, I certainly feel that the Committee on Appropriations has done an outstanding job and that the General Appropriations bill should be supported by everyone as it is presented here in the House in its present form.

Mr. CURWOOD asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 2, page 36, line 18, by striking out "\$165,-206,471" and inserting \$165,806,471

Amend Sec. 2, page 39, line 2, by striking out "\$19,-526,883" and inserting \$19,626,883.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. CURWOOD. I feel I would be doing a very unjust thing if I did not get up and try to protect my constituents back home in this situation.

These amendments are for \$600,000 more for the Retreat State Hospital, which is located in my district, and \$100,000 to the Nanticoke State Hospital which this House, as I said two years ago, made a monument up there, but forgot to put the heart in the monument. I am asking my colleagues on both sides to support me in this situation, and to put the heart in that monument, to put nurses and doctors there, and scrubwomen to clean it up.

Take the Retreat State Hospital for a minute. We are short \$1 million to even do anything about the matter, but I am only asking for \$600,000. In the 1957-59 biennium we had \$4,000 to repair an institution that houses 1,300 patients. It is a 60 year old institution, and if it is neglected much longer we are not going to have an institution there.

I do not wish it on any of my colleagues or myself, but when I go there I always think, 'My God, wouldn't it be awful if I had to go to such an awful—I cannot say the words. It is in pretty good shape now compared with what it had been, but I would not want to be a patient in that institution. You see these people lying bumper to bumper in beds, one shaking with palsy, about 67 or 87 years old, next door. How would you like to lie there? I feel we should give this hospital more money to give it a chance.

We are down to one plumber. Can you imagine one plumber and 1,300 patients? We get free oranges and grapefruit once in a while from government surplus. These people are mostly insane, you know, and they have a great knack of throwing an orange down the toilet. It takes one plumber an hour to get that orange out of the toilet. What in the world would you be doing if the pipe would break?

Four years ago we had 407 employes in this institution. Today we have 340 employes in this institution, and getting still less. We can not replace anybody unless it is a doctor or a nurse.

I could go on. I know you Members talk among yourselves, and I know you are not interested in my problem at all; I know that. There are a very few who are in-

terested in my problem, but God only help me, you do not need the care in any state institution like you need it in this one.

I know we are short of money. I sat here in my seat and voted for money when it broke my heart, the tax bill I voted for, I tell you this honestly, but I voted for it. I voted to put a tax on my own business to help these institutions out, and I am pleading with you. I know you cannot do it. I know you are going to sit there and laugh at me, but that is no reason for my not asking for it. So I am pleading with you to vote to give my two institutions a little more money.

Mr. HELM. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, Mr. Curwood.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. CURWOOD. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, I would like to inquire of the gentleman if what he is doing is raising the amount of money appropriated to the Department of Welfare by a specific amount?

Mr. CURWOOD. Mr. Speaker, I am for this reason: I am wholeheartedly with the administration in that particular instance because I believe in a blanket amount.

My colleague, Mr. Hocker, yesterday condemned it, but I say that today my hospital must operate like this. We only get \$3 million and are only allowed to spend so much per month. At the end of the month we have to have the balance over here. A lot of people have the idea that you can get a deficiency appropriation. It is pretty hard to get a deficiency today. I have a very good friend sitting over in the Auditor General's office, and he got a good break on it, which I think is necessary in some cases, too.

Mr. HELM. Mr. Speaker, I would like to inquire of the gentleman: You are raising the one amount by \$600,000 and the other by \$100,000 in the blanket appropriation to the Department of Welfare, is that not correct?

Mr. CURWOOD. That is right sir.

Mr. HELM. What assurance does the gentleman have that the money he is requesting will be spent for these particular hospitals he is requesting it for?

Mr. CURWOOD. I have no assurance under the set-up, I imagine, right now, but the way it is done, I had to put my amendment in, Mr. Speaker, pick that particular hospital, like Retreat, and ask for \$600,000 there, and Nanticoke, \$100,000 there. It was put onto that particular hospital, but the blanket amount, as you say, is going to be changed.

Mr. HELM. Will the gentleman tell me where in the amendment it says it is for Nanticoke State Hospital or Retreat State Hospital?

Mr. CURWOOD. On the amendment, no.

Mr. HELM. Is it not true then that the Secretary of Welfare could spend this additional \$700,000 for any other institution under his care, if he so desires?

Mr. CURWOOD. Yes sir.

Mr. HELM. I would like to ask the gentleman how he voted on the setting up of a line budget on the amendments that we offered yesterday.

Mr. CURWOOD. I am sorry, I did not get your question.

Mr. HELM. I asked the gentleman how he voted on the amendments offered by the gentleman from Dauphin,



Mr. Hocker, yesterday, setting up a line budget for the various state hospitals in this Commonwealth.

Mr. CURWOOD. I want to answer that other than with a yes or no.

Mr. HELM. Will the gentleman answer how he voted?

Mr. CURWOOD. I voted against it.

Mr. HELM. I thank the gentleman.

Mr. CURWOOD. Now, Mr. Speaker, could I just add to that for a minute? I do not want to let him get away with that on me.

I believe in a blanket budget for this reason: Four years or six years ago we had a blanket budget, and my hospital unfortunately did not collect enough. Then we could go to that bank, as I think we called it, and could ask for more money. We had hospitals in the state of Pennsylvania that collected more money than anticipated, and some that did not. In this way you had a chance to get it without getting a deficiency appropriation. So even if we would get this \$700,000, which I hope you will vote for,—I think it would embarrass everybody in the place if this was passed; I know it would tickle me to death—maybe we would not need it in Nanticoke. Maybe we would be lucky enough to get the rich people up there for a change, and they would pay their bills. But we have all ordinary, good, honest-to-God living coal miners, they mined their coal for a long time, and we have to take care of them now. I think it would be a good idea to have it regardless of whether we need it or not, Mr. Speaker.

Mr. McCANN. Mr. Speaker, I know this is not easy to do, and I know the amendments the gentleman from Luzerne, Mr. Curwood, has presented to the House today to increase the appropriation to the Department of Welfare are presented because he is very sincere in wanting to try to get more funds into the department for the hospitals in his particular area.

Of course if they will check the budget closely, they will find on the respective pages the hospitals he mentioned. I believe the increase as aligned there is approximately \$650,000 more than was in the '57-'59' budget as listed I would like to ask that the Members of this House oppose the amendments offered by the gentleman from Luzerne, Mr. Curwood, to increase the appropriation amount to the Department of Public Welfare as presented by him.

On the question, recurring,

Will the House agree to the amendments?

A division was called for, forty-four Members having voted in the affirmative and ninety-one in the negative, the question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. VARNER. Mr. Speaker, is this division roll call that you have just gone through, is that actually recorded in the Legislative Journal?

The SPEAKER. By name?

Mr. VARNER. Are the names of the Members recorded in the Journal on that division?

The SPEAKER. They are not.

Mr. VARNER. Mr. Speaker, I think I missed the first roll call and I would like to be recorded on that roll call as voting aye.

The SPEAKER. The gentleman can only be recorded on a question of personal privilege if the House would

recognize him to say how he would have voted had he been present, but there is no way now of recording a simple one vote on a division.

Mr. VARNER. Well, will my previous remarks be recorded in the Journal?

The SPEAKER. They will be recorded in the Journal.

Mr. VARNER. I will stand on them.

Mr. CROSSIN. Mr. Speaker, I would like to know if it is possible for the Luzerne County delegation to be voted in the affirmative in the record and not just on a division?

The SPEAKER. Each gentleman would have to speak for himself, and the vote will not be recorded in the record.

Mr. CROSSIN. May I be recorded in the affirmative, please?

The SPEAKER. The gentleman's remarks will be noted in the Journal.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GARLOCK. I would like to interrogate the gentleman from McKean, Mr. Johnson.

The SPEAKER. Regarding the bill? The question before the House is, will the House agree to the bill on third reading?

Mr. GARLOCK. In regard to the bill, Mr. Speaker.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, I believe that this statement has been made. We, I think that meant the other side of the aisle, will cut \$50 to \$60 million of fat out of this budget?

Mr. A. W. JOHNSON. No, I did not say that there would be \$50 or \$60 million of fat cut out of the budget. I did not say that.

Mr. GARLOCK. Was it \$50 or \$60 million?

Mr. A. W. JOHNSON. Do you want me to answer that?

Mr. GARLOCK. Yes.

Mr. A. W. JOHNSON. It goes without saying that in cutting a budget by that figure many things would have to be eliminated, which I have stated here many times before are policy questions, which are now programs or expansion of existing programs, and it is a question of policy whether you want to eliminate them or not in view of the critical financial situation.

Mr. GARLOCK. Your answer was yes in the beginning?

Mr. A. W. JOHNSON. No, not as to fat. I would say the amendments contemplated by the Senate would be in the areas in which they feel that there is some fat in the budget and partly eliminating expansion of existing programs or new programs.

The SPEAKER. The Chair would like to observe that we like to recognize the Members but the question of what the gentleman one time said he would like to cut out of the bill is not germane unless amendments were actually doing what the Members naturally thought should be done. And we hope the—

Mr. GARLOCK. Mr. Speaker, the point I wanted to ask Mr. Johnson, the gentleman from McKean, is if he did not feel that we were shirking our duties if we were taking a chance of passing this bill over to another place, taking a chance on them cutting \$50 to \$60 million from this bill. There are items which could definitely be cut from this bill—



The SPEAKER. The Chair must again emphatically say that in his opinion the debate as to what some other Chamber may do with this bill, while a matter of private consideration, is not germane to discussion upon the floor.

We cannot vote here in this House our convictions if we must vote with the idea that perhaps they will be changed.

Messrs. GOLDSTEIN, T. H. W. JONES and McCORMACK asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 2, page 48, line 9 by striking out "\$311,500" and inserting: "\$301,500."

Amend Sec. 2, page 48, line 14 by striking out "900,272" and inserting: "700,000."

Amend Sec. 2, page 52, line 20 by striking out "\$1,278,000" and inserting: "\$1,268,000."

Amend Sec. 2, page 53, line 5 by striking out "\$635,000" and inserting: "470,000."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. GOLDSTEIN. Mr. Speaker, we now have a glorious opportunity to remove some legislative fat from the appropriation bill. This is a bipartisan sponsored amendment. My co-sponsors are the gentleman from Philadelphia, Mr. McCormack, and the gentleman from Montgomery, Mr. Jones.

What this particular amendment proposes to do is to establish a declaration of intent of the House of Representatives and the desire that Senate Bill 309 be killed in the conference committee by refusing to give any funds for such bill.

When I spoke on Senate Bill 309, I declared I was against any additional jobs because I did not think they were necessary. I declared I was against any increases in salaries in view of our tight budget. I felt that the per diem workers who were getting \$6 and \$8 per day were entitled to a cost of living increase, and I want to impress upon both the Members of the House on the Democratic and Republican sides that these amendments do not take out a cost of living increase for these per diem workers.

What these amendments do, briefly, is this: We reduce on page 48, the salaries of the 50 Senators and extra compensation for the President pro tem by taking \$10,000 away from the President pro tem.

On line 14, we remove from salaries of salaried employees of the Senate as provided in the Act, an unknown act so far as this bill is concerned, the sum of \$200,000.

On page 52, we take \$10,000 additional from salaries of Representatives by removing \$10,000 additional salary for the Speaker.

On page 53, we take \$165,000 from salaries as provided in that particular request.

My particular amendments may not do a 100 percent job because it is a very difficult situation to analyze a bill line by line, but the purposes of these amendments are these: To hold the line as far as the legislative payroll is concerned, to make certain that we set an example for all other departments in the state and to make certain that our particular cost of government does not increase.

I believe, and I have a right so to state, that when the Governor of this state was interrogated about Senate Bill 309, he stated that he was opposed to any additional jobs and increment increases for salaried employees.

How can we appropriate money? Appropriating in my opinion is to take money away from the taxpayers, when we do not have a bill which states what the money is authorized for.

I believe this particular legislation deserves careful consideration, and I think that the people of this Commonwealth will look at us and examine our conduct in this particular respect. Nobody has established, to my satisfaction, the need for these additional employees and the need for these additional increases in salary.

I am asking for a roll call vote. I am asking the Members to stand behind this bipartisan amendment so the people of the Commonwealth will realize that the Members of the House, at least, are interested in economy and taking away legislative fat.

The SPEAKER. Under the circumstances the Chair would like the gentleman from Allegheny, Mr. Goldstein, to state that the present Speaker is not in that bill.

Mr. GOLDSTEIN. Mr. Speaker, you know my deep affection for you and you know that anything I said was not intended to be any personal allusion. Insofar as the salary increases are concerned, they apply to future Speakers and, if the dictates of the voters of this Commonwealth continue, and we should have a Democratic majority in this House again, I hope to see you as Speaker without any increase.

Mr. McCORMACK. Needless to say, Mr. Speaker, the gentleman from Allegheny echoes my sentiments in that respect.

It was with serious thought that I put my name on these amendments, and I did so for the very simple reason that I did not vote to increase the burden on the taxpayers for the purpose of providing salary increases for officers and certain employees of the General Assembly.

I think it is high time, if we are going to trim anything from the budget, that we do it here and now in what I consider very non-essential increases in salaries.

I, therefore, ask that the Members on both sides of the House support these amendments to show the people that we are interested in what they are paying in taxes, and that we intend here and now to reconsider the mistake that we made when we passed Senate Bill 309.

Mr. SCHWARTZ. Mr. Speaker, it is my understanding that this budget, as far as the sections and lines are concerned, that these amendments take into consideration the possibility of a legislative session in 1960.

It is my further understanding that if that legislative Session does not take place that a certain part of this budget will lapse.

Aside from that I think the amendments are very ill-advised. I do not believe that we Legislators have the proper facilities at hand and I do not think we will have them even if this budget passes. We are desperately in need of a research staff, especially the standing committees—at least a half dozen of those committees. I know I for one, as Chairman of State Government, could use some research advice when you realize that I have to consider and the members of my Committee must consider, some 350 bills that run the gamut. We consider as many as 30 to 35 bills at a session of the Committee. I use a secretary



in conjunction with two other important committees in this House and I say that we could use more money. I think that these amendments are very ill-advised.

Mr. McCANN. Mr. Speaker, I ask that the Membership of this House vote in the negative opposing the amendments offered by the gentleman from Allegheny, Mr. Goldstein.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. Goldstein and McCormack and were as follows:

## YEAS—53

Ashton,	Garlock,	Light,	Sherman,
Auker,	Gelfand,	Limper,	Stevens,
Brenninger,	Gibb,	Lutty,	Stroup,
Dennison,	Goldstein	McCandless,	Varner,
Donahue,	Gramlich,	McCormack,	Walsh,
Edwards,	Heavey,	Magee,	Weidner,
Eshback,	Henzel,	Mahan,	Whittaker,
Eshleman,	Horst,	Merry,	Williams, A.D., Jr.,
Ewing,	Johnson, R.,	Pashley,	Williams, E. S.,
Farabaugh,	Jones, T. H. W.,	Perry, P. E.,	Willard,
Fetterolf,	Jump,	Pursley,	Willards,
Fox,	Kooker,	Rigby,	Wilt,
Frank,	Kubitsky,	Rudisill,	Worley,
Fulmer,			

## NAYS—139

Anderson,	Galley,	McKeever,	Rovansek,
Arlene,	Gallagher,	McLaughlin,	Royer,
Balthaser,	George,	Machmer,	Scarcell,
Barton,	Goodrich,	Markley,	Schaaf,
Bell,	Guthrie,	Maxwell,	Schuster,
Boles,	Hamilton,	Meholchick,	Schwartz,
Bonner,	Heffner,	Mihm,	Seltzer,
Boris,	Helm,	Miller, B. Z.,	Shupnik,
Bower,	Hocker,	Monroe,	Silverman,
Bowman,	Holliday,	Muldowney,	Snider,
Branca,	Holt,	Mullen,	Stank,
Breth,	Irvis,	Munley,	Steckel,
Brown,	Isaacs,	Murphy, A. J., Jr.	Stewart,
Buchanan,	Jenkins,	Murphy, P. J.,	Stimmel,
Burns,	Jim,	Murray, H. P.,	Stone,
Capano,	Johnson, A. W.,	Murray, J. J.,	Stoner,
Capitolo,	Jones, F. R.,	Murray, P. G.,	Strausser,
Cianfrani,	Kamyk,	Musto,	Taylor,
Cioffi,	Kee,	Needham,	Tompkins,
Clarke,	Kelser,	Nelson,	Trusio,
Comer,	Kernaghan,	O'Donnell, J. A.,	Ujobal,
Crossin,	Kessler,	O'Donnell, J. P.	Varallo,
Curwood,	Knecht,	Odorisio,	Verona,
Davis,	Kornick,	Ogilvie,	Wall,
Dengler,	Korna,	O'Neill,	Wargo,
Dennis,	Kovolenko,	Parlante,	Welsh,
Devlin,	Lamb,	Petrosky,	Wescott,
Dougherty,	Lee, A. M.,	Polaski,	Wheeler,
Down,	Lee, K. B.,	Polen,	Wood,
Ellberg,	Leonard,	Prendergast,	Wynd,
Filo,	Lippincott,	Price,	Yatron,
Floyd,	Lopresti,	Reibman,	Yetter,
Flynn,	McCann,	Reidenbach,	Zimmerman,
Foerster,	McDonald,	Renwick,	Andrews,
Frascella,	McInroy,	Riley,	Speaker

## NOT VOTING—16

Agnew,	Fineman,	Moran,	Sakulsky,
Blair,	Luigard,	Naugle,	Snare,
Cooper,	Miller, H. G.,	O'Dell,	Sullivan,
Donaldson,	Mills,	Perry, H. H.,	Thompson,

So the question was determined in the negative and the amendments were not agreed to.

Mr. WORLEY. Mr. Speaker, not being previously recorded today, I am voting for these amendments by Mr. Goldstein, and I ask that my remarks be spread in full upon the Legislative Journal.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I do not have any amendments to offer nor speeches to make on the bill, but there is some information I would like to get, and I wonder if I may interrogate the gentleman from Washington, Mr. Polen?

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand that the appropriations provided in this House Bill No. 2326 total \$1.514 billion in round figures?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. Are any of these appropriations augmented by Federal funds?

Mr. POLEN. Some of them are, Mr. Speaker.

Mr. TOMPKINS. Could the gentleman from Washington point out which items are augmented, and in what amounts?

Mr. POLEN. If the gentleman will turn to page 9, Mr. Speaker, under the Department of Agriculture, the item of \$6,660,381 is augmented by \$24,000 of Federal funds.

Mr. TOMPKINS. I did not get that amount, I am sorry.

Mr. POLEN. \$24,000.

Mr. TOMPKINS. \$24,000.

Mr. POLEN. And if the gentleman will turn to page 12, under the State Council of Civil Defense, the item \$894,718 is augmented by \$445,000 of Federal funds.

If the gentleman will turn to page 13, the Department of Commerce, the item of \$2,173,657 is augmented by \$250,000 of Federal funds.

If the gentleman will turn to page 16, the Department of Health, the item of \$16,294,638 is augmented by \$5,595,793.

If the gentleman will turn to page 19, to the Department of Labor and Industry, the item \$9,300,358 is augmented by Federal funds of \$2,230,800.

On page 20 the item of \$4,801,653 is augmented by Federal funds of \$6,769,200.

Mr. TOMPKINS. Did the gentleman say \$6 million?

Mr. POLEN. \$6,769,200. If the gentleman will turn to page 26, the item of \$8,160,863 under Public Instruction is augmented by \$1,414,301.

If the gentleman will turn to page 28, under Public Instruction, the item \$543,534, which is in the budget as \$943,534, we having passed a bill of \$400,000 which would be deducted from this amount—

Mr. TOMPKINS. That was a stop-gap appropriation?

Mr. POLEN. That was a stop-gap appropriation in order to get the Federal funds. We will receive \$943,534, but in addition to that it will permit the school districts to receive \$9,957,929. That has nothing to do with state funds, but I just added that because it was brought out in the hearings that that amount would be available.

Mr. TOMPKINS. Is that \$9 million you speak about for the food and milk program, Mr. Polen?

Mr. POLEN. No, it is not.

Mr. TOMPKINS. You say the local districts get that money?

Mr. POLEN. Yes, they get that under the NEDA Act. It is the money they spent for science, mathematics, modern languages, and so on, providing guidance, counselling and testing. Their expenses in connection



with those programs are considered matching money, and make the amount I stated available from the Federal government direct to the school districts.

I have one other one here. I just received this letter at the last minute. I cannot find the particular place in the budget at this time, but it is in connection with Forests and Waters. We would receive \$8,400 under one item and \$25,600 under another item.

Mr. Speaker, in each instance I have only given the funds that will be paid into the State Treasury for matching purposes. It does not include grants that may be made and paid for direct by the Federal government, but the program administered by certain departments of the Commonwealth.

Mr. TOMPKINS. What was that first figure in the Forests and Waters, \$8,000?

Mr. POLEN. \$8,400, and \$25,600. The letter does not give me the information where I can match it up, but I will later give the information to the gentleman as to what item in the budget it covers.

Mr. TOMPKINS. That is the total of the items which you have, Mr. Polen?

Mr. POLEN. That is the total of the items of Federal money that will go into the State Treasury to match, or be handled by the Commonwealth.

Mr. TOMPKINS. Well now, in going through the budget I find such items as Federal funds for National Education Defense Act \$4,863,000; Vocational Education \$3,701,000; Federal Aid to School Lunch Programs \$7,194,000; Aid for Special Milk Programs \$5,942,000; Public Assistance Services \$2,150,000; Public Assistance Services \$160,673,000. Now, would those funds be administered by departments which are included in this appropriation bill?

Mr. POLEN. We could take them separately, but in the Special Milk and Lunch program, these Federal receipts are not matched by any state funds and for that reason they are not included in the amounts that I have given. I have only given the amounts where there is matching.

Mr. TOMPKINS. Well now, where does this money go that I have mentioned that is quoted in the budget? Does that go through the State Treasury?

Mr. POLEN. The items that I have given you would go through the State Treasury, that is right.

Mr. TOMPKINS. Where would the item of \$160 million on Public Assistance go?

Mr. POLEN. The amount that comes from Public Assistance would go through the State Treasury, and I regret to state that I have not as yet been furnished the information from the Department of Welfare.

Mr. TOMPKINS. On page 40 there is the Department of Welfare appropriation of \$116,784,000. That is the amount less the \$30 million stopgap appropriation we passed, is that right?

Mr. POLEN. Would you give the page again, please?

Mr. TOMPKINS. Page 40.

Mr. POLEN. The amount of \$116 million, you say?

Mr. TOMPKINS. That is right.

Mr. POLEN. Originally there was \$52,900,000 more than appears in this bill. They were actually not stopgaps but were regular appropriation bills which are now Acts, and it was deducted from the budgeted amount.

Mr. TOMPKINS. The thing I am trying to get at is

this: I do not know the total of the items which you have given me, but I have items here which I have taken out of the budget, which you have not mentioned, that total almost \$200 million.

Mr. POLEN. Mr. Speaker, the gentleman asked for this information and I attempted to give it as quickly as I could. Some of it entails a lot of work and, as I told the gentleman today, I expected to have it all but I do not have it all.

Mr. TOMPKINS. I am not trying to harass the gentleman at all, because he has been very cooperative in trying to produce this for me. I am merely trying to ask these questions to find out whether or not the items which I have mentioned would be in addition to the items that are in this budget of \$1.514 billion.

Mr. POLEN. Would the gentleman give me the department concerned?

Mr. TOMPKINS. What is that?

Mr. POLEN. Would you give the department concerned?

Mr. TOMPKINS. I did not get it yet, I am sorry.

Mr. POLEN. Mr. Speaker, would the gentleman give me the department he is speaking of at the present time?

Mr. TOMPKINS. I am trying to get the overall amount by which this budget will be augmented by Federal money.

For instance, let me only mention this one, on page 40 you have the Department of Welfare for Public Assistance, \$116 million. The budget shows Federal funds to augment that of \$160 million. That would mean, with what we have in this appropriation bill plus the Federal funds, that the Department would not have \$116 million to administer but would have \$276 million to administer, would they not?

Mr. POLEN. That would be correct.

Mr. TOMPKINS. That is the thing I am trying to get at, that therefore this \$1.514 billion merely replaces the money which we furnish from state taxes alone?

Mr. POLEN. That would be correct, Mr. Speaker.

Mr. TOMPKINS. That, if we add together all of the Federal augmentations, there might be close to \$300 million additional which they will have to administer, which does not reflect itself in this appropriation bill.

Mr. POLEN. Mr. Speaker, that could be possible, though I do not believe it would run that high.

Mr. TOMPKINS. Well, I am going by the figures I have before me, plus what you have given me that I have not had before, plus other items that maybe we have not touched, but it would go well over \$200 million, would it not?

Mr. POLEN. Yes, I believe it would go over \$200 million.

Mr. TOMPKINS. So, therefore, instead of having \$1.514 billion for the several departments, under this bill, they would actually have \$1.714 billion to administer, would that not be right?

Mr. POLEN. That would be approximately correct, Mr. Speaker. It might be that the greater part of this is in the Department of Welfare in connection with the Public Assistance program.

Mr. TOMPKINS. Now do I understand that these departments can spend this money without the necessity of our budgeting it through our legislative appropriations?

Mr. POLEN. The augmentations that are matched



by Federal funds could be spent and would be spent in the same manner and accounted for in the same manner, Mr. Speaker, as any other appropriation. They are on a matching basis, the majority of them.

Mr. TOMPKINS. If they are on a matching basis, are our departments merely used as the machinery by which the Federal government makes distribution? Is that the story on it?

Mr. POLEN. I do not understand the question, Mr. Speaker.

Mr. TOMPKINS. The thing I am trying to get at is this: This appropriation bill appropriates \$1.514 billion which represents the appropriations for state funds for which we levy the taxes?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. But that these departments will not have \$1.514 billion to spend and administer. They will have at least substantially \$200 million or more dollars over and above what is provided for in this budget!

Mr. POLEN. That would be correct, Mr. Speaker.

Mr. TOMPKINS. I think the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Fulmer,	McCandless,	Rovansek,
Anderson,	Galley,	McCann,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Ashton,	Garlock,	McInroy,	Scarcelll,
Auker,	Gelfand,	McKeever,	Schaaf,
Balthaser,	George,	McLaughlin,	Schuster,
Barton,	Gibb,	Machmer,	Schwartz,
Bell,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Monroe,	Stewart,
Brown,	Hocker,	Muldowney,	Stimmel,
Buchanan,	Holliday,	Mullen,	Stone,
Burns,	Holt,	Munley,	Stoner,
Capano,	Horst,	Murphy, A. J., Jr.	Strausser,
Capitolo,	Iris,	Murphy, P. J.,	Stroup,
Cianfrani,	Isaacs,	Murray, H. P.,	Taylor,
Cioffi,	Jenkins,	Murray, J. J.,	Tompkins,
Clarke,	Jim,	Murray, P. G.,	Trusio,
Comer,	Johnson, A. W.,	Musto,	Ujobal,
Crossin,	Johnson, R.,	Naugle,	Varallo,
Curwood,	Jones, F. R.,	Nedham,	Varnar,
Davis,	Jones, T. H. W.,	Nelson,	Verona,
Dengler,	Jump,	O'Dell,	Wall,
Dennis,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennison,	Kee,	O'Donnell, J. P.	Wargo,
Devlin,	Kelser,	Odorisio,	Weidner,
Donahue,	Kernaghan,	Ogilvie,	Welsh,
Dougherty,	Kessler,	O'Neill,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Eilberg,	Kornick,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Korns,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kovolenko,	Petrosky,	Willard,
Ewing,	Kubitsky,	Polaski,	Willaredt,
Farabaugh,	Lamb,	Polen,	Wilt,
Fetterolf,	Lee, A. M.,	Prendergast,	Wood,
Filo,	Lee, K. B.,	Price,	Worley,
Fineman,	Leonard,	Pursley,	Wynd,
Floyd,	Light,	Reibman,	Yatron,
Flynn,	Limper,	Reidenbach,	Yetter,
Foerster,	Lippincott,	Renwick,	Zimmerman,
Fox,	Lopresti,	Rigby,	Andrews,
Frank,	Lutty,	Riley,	Speaker
Frascella,			

## NAYS—1

McCormack,

## NOT VOTING—11

Blair,  
Cooper,  
Donaldson,

Luigard,  
Miller, H. G.,  
Mills,

Moran,  
Sakulsky,  
Snare,

Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

### REPORTS FROM COMMITTEE

Mr. PARLANTE from the Committee on Motor Vehicles, reported as amended, House Bill No. 1592, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

Mr. PARLANTE from the Committee on Professional Licensure, reported as committed, House Bill No. 261, entitled:

An Act relating to the practice of massage, providing for the examination, licensing, registration and regulation of masseurs and masseuses; conferring powers and imposing duties upon the Department of Public Instruction; and fixing penalties for violations.

Mr. GARLOCK from the Committee on Elections and Appointment, reported as committed, House Bill No. 459, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships", approved April 29, 1937 (P. L. 487), changing provisions relating to cancellation of registration.

Mr. DENGLER from the Committee on Education, reported as committed, House Bill No. 574, entitled:

An Act amending the "Public School Code of 1949" approved August 9, 1955 (P. L. 30), eliminating residence requirements for board secretaries.

Mr. LUTTY from the Committee on State Government, reported as committed, House Bill No. 1998, entitled:

An Act amending the act of June 3, 1919 (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; \* \* \*" further providing for the physical examination of applicants.

Mr. GARLOCK from the Committee on Highways, reported as committed, House Bill No. 2292, entitled:

An Act requiring the marking of highways and intersections in the State Highway system and imposing duties on the Department of Highways.

Mr. LUTTY from the Committee on State Government, reported as committed, House Bill No. 2320, entitled:



An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey to the Somerset County Development Council, 184.13 acres, more or less, in three tracts of land situate in Somerset Township, Somerset County, for development and improvement for use as industrial and commercial sites with reversion, after ten years, of unused or unimproved areas.

Mr. DENGLER from the Committee on Education, reported as committed, House Bill No. 2335, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

Mr. CAPANO from the Committee on Workmen's Compensation, reported as committed, House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employes under Shipping Articles."

Mr. GOLDSTEIN from the Committee on Education, reported as committed, Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members of State Teachers Colleges.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 261, entitled:

An Act relating to the practice of massage, providing for the examination, licensing, registration and regulation of masseurs and masseuses; conferring powers and imposing duties upon the Department of Public Instruction; and fixing penalties for violations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 459, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships", approved April 29, 1937 (P. L. 487), changing provisions relating to cancellation of registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 574, entitled:

An Act amending the "Public School Code of 1949" approved August 9, 1955 (P. L. 30), eliminating residence requirements for board secretaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1998, entitled:

An Act amending the act of June 3, 1919 (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; \* \* \*" further providing for the physical examination of applicants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2292, entitled:

An Act requiring the marking of highways and inter-sections in the State Highway system and imposing duties on the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey to the Somerset County Development Council, 184.13 acres, more or less, in three tracts of land situate in Somerset Township, Somerset County, for development and improvement for use as industrial and commercial sites with reversion, after ten years, of unused or unimproved areas.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2335, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employes under Shipping Articles."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \*\*\*" further providing for leaves of absence of faculty members of State Teachers Colleges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, I request unanimous consent of the House for a recess of 30 minutes for lunch and 30 minutes for a caucus in the new House Caucus room, of the Democratic Members. For lunch, the cafeteria is open and waiting to serve the Members.

Mr. A. W. JOHNSON. Mr. Speaker, I just wanted to announce that we do not intend to have a Republican caucus.

### RECESS

The SPEAKER. Without objection, the Chair declares a recess of one hour.

The Chair hears none.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair requests the gentleman from Armstrong to preside temporarily.

Mr. HELM IN THE CHAIR.

### BILL INTRODUCED AND REFERRED

By Messrs. YETTER and FRANK.

HOUSE BILL No. 2339

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding shoe repairing from taxation.

Referred to the Committee on Ways and Means.

### RESOLUTIONS INTRODUCED AND REFERRED

By Mrs. VARALLO, Mrs. ANDERSON and Mr. BELL.  
RESOLUTION No. 106

In the House of Representatives, August 25, 1959.

One of the major problems our society is facing today is the tendency of our youth to disregard, and in many cases intentionally breach those rules of conduct so necessary in a highly developed and complex society.

Juvenile delinquency has become a problem of such magnitude that local welfare and law enforcement authorities are not adequately trained or staffed to cope with the complexities of the problems presented by some of these youth.

It is the duty of the State to protect the community from the depredations of these young people, but at the same time it becomes the duty of the State to make available the facilities and trained personnel necessary for the reclamation of these wayward youth for constructive citizenship.

Pennsylvania is in great need of a truly co-ordinated and well planned program, but such a program cannot be planned and put into effect without a thorough study of the varied and complex problems that such a program must face; therefore be it

Resolved, That the Joint State Government Commission be directed to make a thorough study of the juvenile problems in our State including the possible creation of a State agency to handle these problems; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. WHEELER, TRUSIO, KORNICK and SNYDER. RESOLUTION (Not Printed)

In the House of Representatives, August 25, 1959.

Each year the National Veterans of Foreign Wars Headquarters conducts the National Teener Baseball Tournament open to players fourteen and fifteen years of age.

The tournament which was played this year at Hershey, Pennsylvania on August 21, 1959, was won by the Uniontown Veterans of Foreign Wars Post 47. The Uniontown team is the first from Pennsylvania to win the National Championship.

The road to victory was not an easy one. Excellent teams from Illinois, New Mexico, New York and Tennessee proved to be stiff competition for the Pennsylvania Champions; therefore be it

Resolved, That the House of Representatives extend its congratulations to each member of the Uniontown Veterans of Foreign Wars Post 47 Teener Baseball Team for winning the National Teener Baseball Tournament and commend manager Pete Clingan and coaches Orin Clingan and Jim Neill for their part in producing State Champions for the past four years and National Champions in 1959; and be it further

Resolved, That a copy of this resolution be sent to Uniontown Veterans of Foreign Wars Post 47, Uniontown, Pennsylvania.

Referred to the Committee on Rules.

### SENATE MESSAGE

AMENDED SENATE BILL CONCURRER IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 935.

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class Assessments law" specifying when tax levies shall first be based on assessments from valuations made with use of the permanent system of records.

### SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRER IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered a follows:

HOUSE BILL No. 1427.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to request that a certified check accompany bids for contracts.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.



### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REIDENBACH asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 354.

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P. L. 159) authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

#### HOUSE BILL No. 705.

An Act amending the "Disease Prevention and Control Law of 1955" approved April 23, 1956 (P. L. 1510) providing for the examination of recalcitrant persons suspected of being infected with venereal disease, tuberculosis or any other communicable disease.

#### HOUSE BILL No. 706.

An Act amending the "Disease Prevention and Control Law of 1955" approved April 23, 1956 (P. L. 1510) providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease.

#### HOUSE BILL No. 846.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) further regulating the adoption of zoning codes.

#### HOUSE BILL No. 847.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

#### HOUSE BILL No. 982.

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) requiring tax collectors to include additional information when making statements for taxes collected.

#### HOUSE BILL No. 1077.

An Act empowering the Department of Health to regulate the burial of radio-active material and to issue permits therefor and prescribing penalties.

#### HOUSE BILL No. 1129.

An Act amending the act of June 12, 1931 (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospital \* \* \*" providing for a provisional license.

#### HOUSE BILL No. 1448.

An Act amending the "Disease Prevention and Control Law of 1955" approved April 23, 1956 (P. L. 1510) allowing court appointed physicians and physicians of penal institutions to make examinations for venereal disease.

#### HOUSE BILL No. 1731.

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the city of West Chester.

#### HOUSE BILL No. 1816.

An Act amending the act of June 20, 1947 (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses there in \* \* \*" changing the times for filing returns.

#### HOUSE BILL No. 1822.

An Act amending the "State Council of Civil Defense Act of 1951" approved March 19, 1951 (P. L. 28) making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

#### HOUSE BILL No. 1953.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing that the auditors' report shall be filed by the auditors.

#### HOUSE BILL No. 2009.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) further providing for the regulation of parking lots.

#### HOUSE BILL No. 2121.

An Act amending the act of March 1, 1867 (P. L. 306) entitled "An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties" providing that the constable and collector hereafter elected shall hold his office for a term of two years.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 141, 869, 1207 and 1537.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILLS Nos. 1115, 1447 and 1507

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Pa., August 25, 1959.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1115, Printer's No. 1250, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 1.82 acres more or less of land situate in Abington Township Lackawanna County."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:



I have the honor to inform you that I have this day approved and signed House Bill No. 1447, Printer's No. 574, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' imposing additional powers and duties on the Department of Health and establishing a fee."

DAVID L. LAWRENCE.

August 25, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1507, Printer's No. 588, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' authorizing the Department of Public Instruction to grant priority of reimbursement eligibility to certain projects and providing that the approved reimbursable costs of such projects shall not be included within the aggregate for projects already undertaken or to be undertaken."

DAVID L. LAWRENCE.

### FOREIGN GOVERNMENTAL OFFICIALS WELCOMED

The SPEAKER pro tempore. The House is honored today by having here today as visitors a group of Foreign Governmental Officials, sponsored by the International Cooperation Administration of the United States Government, under the guidance of Mr. Marshall and Mr. Schier from the Department of Public Instruction of the Commonwealth.

They are:

AFE, Okungbowa Ibukun, Director of Recruitment and Training; Personnel, Organization and Methods, and Training; Nigeria.

BOCCARDI, Anibal, Member of the Advisory Team to the General Management of ANCAP, which is the governing board for 14 government monopolies in Uruguay; Uruguay.

HUQ, M. Aminul, Under Secretary of the Ministry of Economic Affairs in Pakistan; Pakistan.

MAHATANTILA, Withanage D. V., Deputy Commissioner of Local Government; Ceylon.

OLAOPA, Alfred Adajumo, Administrative Officer to the Premier; Nigeria.

OREWA, George Oka, Administrative Officer, Ministry of Finance; Nigeria.

WILSON, Andrew Iyere, Senior Assistant Secretary, Ministry of Agriculture, Forestry and Fisheries; Nigeria.

The Chair thanks the delegation and hopes that they enjoy their visit in our midst today.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a bill to be reported from Committee.

### REPORTS FROM COMMITTEES

Mr. SHERMAN from the Committee on Motor Vehicles, reported as amended, House Bill No. 2013, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) requiring the approval of mufflers by the Secretary of Revenue and prohibiting the sale or lease, after specified dates of unapproved mufflers.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House Bill No. 814, entitled:

An Act amending the act of June 3, 1937 (P L 1333), entitled "An act concerning elections, including general,

municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by removing prohibition against unincorporated associations making political contributions.

Mr. FILO from the Committee on Highways, reported as committed, House Bill No. 899, entitled:

An Act requiring the Department of Highways and the Department of Forests and Waters to make a survey, in cooperation with the United States Army Engineers, concerning a roadway between Presque Isle State Park and the City of Erie.

Mr. BRENNINGER from the Committee on Liquor Control, reported as committed, House Bill No. 2161, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing certain signs to be displayed on the top of buildings forming part of the licensed premises of distributors or importing distributors.

Mr. MILLS from the Committee on Liquor Control, reported as amended, House Bill No. 2165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the application for an issuance of hotel restaurant and club liquor licenses.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 814, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by removing prohibition against unincorporated associations making political contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 899, entitled:

An Act requiring the Department of Highways and the Department of Forests and Waters to make a survey, in cooperation with the United States Army Engineers, concerning a roadway between Presque Isle State Park and the City of Erie.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2161, entitled:



An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing certain signs to be displayed on the top of buildings forming part of the licensed premises of distributors or importing distributors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act amending the act of May 23, 1945 (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" changing the basis for pensions.

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Third Class.

The motion was agreed to.

### BILLS PASSED OVER

There being no objection

House Bill No. 325, Printer's No. 999, and

House Bill No. 389, Printer's No. 89

were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 496, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing the reimbursement payments on account of instruction in certain cases and including kindergarten units in determining the reimbursement fraction and the actual instruction expense definition.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—196

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Ashton,	Garlock,	McInroy,	Rudisill,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heavey,	Merry,	Snider,
Branca,	Heffner,	Mihm,	Stank,
Brenninger,	Heim,	Miller, B. Z.,	Steckel,
Breth,	Henzel,	Mills,	Stevens,
Brown,	Hocker,	Monroe,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Strausser,
Cianfrani,	Isaacs,	Murphy, P. J.,	Stroup,
Cioffi,	Jenkins,	Murray, H. F.,	Taylor,

Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobai,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varner,
Davis,	Jump,	Needham,	Verona,
Dengler,	Kamyk,	Nelson,	Wall,
Dennis,	Kee,	O'Dell,	Walsh,
Dennison,	Kelser,	O'Donnell, J. A.,	Wargo,
Devlin,	Kernaghan,	O'Donnell, J. P.	Weldner,
Donahue,	Kessler,	Odorislo,	Welsh,
Dougherty,	Knecht,	Oglivie,	Wescott,
Down,	Kooker,	O'Neill,	Wheeler,
Edwards,	Kornick,	Parlante,	Whittaker,
Ellberg,	Korns,	Pashley,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kubitsky,	Perry, P. E.,	Willard,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetteroif,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Worley,
Fineman,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker
Frascella,			

### NAYS—3

Auker,

Jones, T. H. W., Tompkins,

### NOT VOTING—9

Cooper,  
Donaldson,  
Luigard,

Miller, R. G.,  
Moran,

Sakulsky,  
Snare,

Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection

House Bill No. 515, Printer's No. 1408 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 516, entitled:

An Act to define dicense and regulate resident and non-resident auctioneers and apprentice auctioneers in this Commonwealth and revising consolidating and making the law uniform relative thereto creating the State Auctioneers Commission conferring certain powers and duties on the commission and on certain departments and officers of the State and local governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. VERONA asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by striking out "this Commonwealth" and inserting certain political subdivisions.

Amend Sec. 6, page 6, line 11, by striking out "examination" and inserting Examination.

Amend Sec. 19, page 20, line 9, by striking out "thereof" and inserting Thereof.

Amend Sec. 21, page 25, line 15, by striking out "administrative agency law" and inserting "Administrative Agency Law."

Amend Sec. 22, page 25, line 17, by striking out "within" and inserting Within.

Amend Sec. 23, page 26, line 14, by striking out "suspension" and inserting Suspension.

Amend Sec. 26, page 32, line 13, by striking out "common pleas" and inserting Common Pleas.

Amend Sec. 30, page 34, line 14, by inserting after "Act" where it appears the first time Applicability (a).

Amend Sec. 30, page 34, by inserting after line 19 "(b) The provisions of this act shall not apply to any cities of the first class or counties of the second class of this Commonwealth."

Amend Sec. 32, page 35, line 4, by inserting after "repealed" "except as to cities of the first class and counties of the second class."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 389, on page 17 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 389, entitled:

An Act amending the "Veterans Preference Act of 1957" approved July 8, 1957 (P. L. 557) excepting second class county employees from provisions relating to option retirement contribution rights.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALSH. Mr. Speaker, all this bill does is correct the law, inasmuch as when a man went into the service he was required to make payments while he was in the service or, if he so desired, after he came back he could make those payments into the retirement fund to protect his pension rights.

This is in conflict with the Second Class County Code. This bill corrects it so that when he comes back from his military service he can be given credit for the time spent in service and he does not have to make any contributions to the retirement fund.

This bill has the approval of the Allegheny County Retirement Board.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,

Blair,	Goldstein	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Brett,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irvis,	Murphy, A. J., Jr.	Stroup,
Clanfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cloffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobal,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varnier,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Kelser,	O'Donnell, J. P.	Weldner,
Donahue,	Kernaghan,	Odoristo,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neill,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Ellberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korns,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, P. E.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Light,	Pursley,	Yatron,
Flynn,	Limper,	Reibman,	Yetter,
Foerster,	Lippincott,	Reidenbach,	Zimmerman,
Fox,	Lopresti,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Luigard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 556, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" providing for the payment of compensation to the spouse or certain dependents of deceased employees dying prior to receiving payment of total benefits in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Galley,	McCann,	Riley,
Anderson,	Gallagher,	McCormack,	Rovansek,
Arlene,	Garlock,	McDonald,	Royer,
Auker,	Geifand,	McInroy,	Rudisill,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Magee,	Schwartz,
Boles,	Gramlich,	Mahan,	Seltzer,



Bonner,	Guthrie,	Markley,	Sherman,
Boris,	Hamilton,	Maxwell,	Shupnik,
Bower,	Heavey,	Meholchick,	Silverman,
Branca,	Heffner,	Merry,	Snider,
Brenninger,	Helm,	Mihm,	Stank,
Breth,	Henzel,	Miller, B. Z.,	Steckel,
Buchanan,	Hocker,	Mills,	Stevens,
Burns,	Holliday,	Monroe,	Stewart,
Capano,	Holt,	Muldowney,	Stimmel,
Capitolo,	Horst,	Mullen,	Stone,
Cianfrani,	Irvls,	Munley,	Stoner,
Cioffi,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Clarke,	Jenkins,	Murphy, P. J.,	Stroup,
Comer,	Jim,	Murray, H. P.,	Taylor,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobai,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Dougherty,	Kernaghan,	O'Donnell, J. P.	Wargo,
Down,	Kessler,	Odorliso,	Weidner,
Edwards,	Knecht,	Ogilvie,	Welsh,
Ellberg,	Kooker,	O'Neill,	Wescott,
Eshback,	Kornick,	Parlante,	Wheeler,
Eshleman,	Korns,	Pashley,	Whittaker,
Ewing,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.,
Farabaugh,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Fetterolf,	Lamb,	Petrosky,	Willard,
Filo,	Lee, A. M.,	Polaski,	Willaredt,
Fineman,	Lee, K. B.,	Polen,	Wilt,
Floyd,	Leonard,	Prendergast,	Wood,
Flynn,	Light,	Price,	Worley,
Foerster,	Limper,	Pursley,	Wynd,
Fox,	Lippincott,	Reibman,	Yatron,
Frank,	Lopresti,	Reidenbach,	Yetter,
Frascella,	Lutty,	Renwick,	Zimmerman,
Fulmer,	McCandless,	Rdgy,	Andrews,

Speaker

## NAYS—3

Ashton,	Bowman,	Brown,
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NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Luigard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 557, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2 1915 (P. L. 736) providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Galley,	McCann,	Riley,
Anderson,	Gallagher,	McCormack,	Rovanssek,
Arlene,	Garlock,	McDonald,	Royer,
Auker,	Gelfand,	McInroy,	Rudisill,
Balthaser,	George,	McKeever,	Scarcelli,
Barton,	Gibb,	McLaughlin,	Schaaf,
Bell,	Goldstein,	Machmer,	Schuster,
Blair,	Goodrich,	Magee,	Schwartz,

Boies,	Gramlich,	Mahan,	Seltzer,
Bonner,	Guthrie,	Markley,	Sherman,
Boris,	Hamilton,	Maxwell,	Shupnik,
Bower,	Heavey,	Meholchick,	Silverman,
Branca,	Heffner,	Merry,	Snider,
Brenninger,	Helm,	Mihm,	Stank,
Breth,	Henzel,	Miller, B. Z.,	Steckel,
Buchanan,	Hocker,	Mills,	Stevens,
Burns,	Holliday,	Monroe,	Stewart,
Capano,	Holt,	Muldowney,	Stimmel,
Capitolo,	Horst,	Mullen,	Stone,
Cianfrani,	Irvls,	Munley,	Stoner,
Cioffi,	Isaacs,	Murphy, A.J., Jr.,	Strausser,
Clarke,	Jenkins,	Murphy, P. J.,	Stroup,
Comer,	Jim,	Murray, J. J.,	Taylor,
Crossin,	Johnson, A. W.,	Murray, H. P.	Tompkins,
Curwood,	Johnson, R.,	Murray, P. G.,	Trusio,
Davis,	Jones, F. R.,	Musto,	Ujobai,
Dengler,	Jones, T. H. W.,	Naugle,	Varallo,
Dennis,	Jump,	Needham,	Varner,
Dennison,	Kamyk,	Nelson,	Verona,
Devlin,	Kee,	O'Dell,	Wall,
Donahue,	Kelser,	O'Donnell, J. A.,	Walsh,
Dougherty,	Kernaghan,	O'Donnell, J. P.,	Wargo,
Down,	Kessler,	Odorliso,	Weidner,
Edwards,	Knecht,	Ogilvie,	Welsh,
Ellberg,	Kooker,	O'Neill,	Wescott,
Eshback,	Kornick,	Parlante,	Wheeler,
Eshleman,	Korns,	Pashley,	Whittaker,
Ewing,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.,
Farabaugh,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Fetterolf,	Lamb,	Petrosky,	Willard,
Filo,	Lee, A. M.,	Polaski,	Willaredt,
Fineman,	Lee, K. B.,	Polen,	Wilt,
Floyd,	Leonard,	Prendergast,	Wood,
Flynn,	Light,	Price,	Worley,
Foerster,	Limper,	Pursley,	Wynd,
Fox,	Lippincott,	Reibman,	Yatron,
Frank,	Lopresti,	Reidenbach,	Yetter,
Frascella,	Lutty,	Renwick,	Zimmerman,
Fulmer,	McCandless,	Rigby,	Andrews,

Speaker

## NAYS—3

Ashton,	Bowman,	Brown,
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NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Luigard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 607, entitled:

An Act authorizing the Governor under certain conditions to transfer certain funds to the Special Disaster Relief Fund to meet extreme emergencies and making appropriations necessary to effect such transfers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Macmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boies,	Goodrich,	Mahan,	Sherman,

Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelsner, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lutty,	Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—9

Cooper, Donaldson, Lulgard,	Miller, H. G., Moran,	Sakulsky, Snare,	Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## SPECIAL ORDERS

## BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, I move that Senate Bills Nos. 175, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483 and 484 be made special orders at this time.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 175, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the purchase of public liability insurance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## NAYS—198

Agnew, Anderson, Arlene, Ashton,	Frascella, Fulmer, Galley, Gallagher,	McCandless, McCann, McCormack, McDonald,	Riley, Rovanssek, Royer, Rudisill,
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Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvia, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelsner, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lutty,	McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—1

Tompkins,

## NOT VOTING—9

Cooper, Donaldson, Lulgard,	Miller, H. G., Moran,	Sakulsky, Snare,	Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 474, entitled:

An Act amending the act of June 25, 1947 (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" increasing the salaries of certain county officers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, Senate Bill No. 474 deals with salary increases for the county officials of third class counties.

I rise in support of the measure that is before us for I believe that the time has been long past due when we



should recognize the efforts, the good work, and the responsibilities that are shouldered by the several officials in these third class counties.

In submitting my position to the membership of this House that comes from counties other than third class, the responsibilities of government have increased considerably and for quite a few years we have not had an increase for the official family. I know when I speak of the type of job these officials are doing for our people back home, when I speak of those in my particular county, I feel certain the judgment of the House here today will recognize that the other counties have officials of the same caliber who are doing a worthwhile job for the people in their counties.

We have an official family that dedicates itself to the services of the people, each in his respective capacity, and have placed before the public a record of tremendous effort on the county level in my county, and I know the same is true of your own county.

These officials are the keepers of our local government which serves daily our people and their many needs by reason of those offices. I say to you that these officials should be commended for the splendid jobs they have done. We recognize full well the tremendous increase in the cost of living that we have had since they have had a raise, and, knowing full well their devotion to their duty in applying themselves to their jobs in a full time measure, such as they do in my county, it is essential that they be properly remunerated and recognized, if you will, for a proper remuneration will make a better county official.

With this type of loyal service, I feel certain the membership on both sides of the House will want to give them a proper reward so that they can live on the standard that they are expected to in the high official capacities the members have in their local county government.

Mr. Speaker, I commend Senate Bill 474 for your favorable consideration and ask you to vote favorably upon this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—132

Agnew,	Frank,	Kernaghan,	O'Dell,
Arlene,	Fulmer,	Leonard,	O'Donnell, J. A.,
Ashton,	Gallagher,	Light,	Polaski,
Auker,	George,	Lippincott,	Polen,
Bell,	Gibb,	Lutty,	Price,
Blair,	Gramlich,	McCann,	Reidenbach,
Botes,	Guthrie,	McDonald,	Riley,
Bonner,	Hamilton,	McInroy,	Royer,
Boris,	Heffner,	McKeever,	Scarcelli,
Bower,	Helm,	McLaughlin,	Schwartz,
Bowman,	Henzel,	Machmer,	Seltzer,
Brenninger,	Hocker,	Magee,	Snider,
Breth,	Holliday,	Markley,	Stank,
Brown,	Holt,	Maxwell,	Steckel,
Buchanan,	Horst,	Merry,	Stevens,
Burns,	Irlis,	Mihm,	Stewart,
Capano,	Isaacs,	Miller, B. Z.,	Stimmel,
Capitolo,	Jenkins,	Mills,	Stone,
Cioffi,	Jim,	Muldowney,	Stoner,
Clarke,	Johnson, A. W.,	Mullen,	Stroup,
Comer,	Johnson, R.,	Murphy, A. J., Jr.,	Taylor,
Davis,	Jones, F. R.,	Murphy, P. J.,	Tompkins,
Dengler,	Jones, T. H. W.,	Murray, H. F.,	Ujobai,
Dennis,	Kamyk,	Murray, J. J.,	Varner,
Devlin,	Kee,	Murray, P. G.,	Welsh,
Donahue,	Keiser,	Naugle,	Wheeler,
Dougherty,	Kessler,	Odorisio,	Willard,

Down,  
Eshback,  
Ewing,  
Fetterolf,  
Filo,  
Flynn,  
Foerster,

Knecht,  
Kooker,  
Korns,  
Lamb,  
Lee, A. M.,  
Lee, K. B.,

Ogilvie,  
O'Neil,  
Parlante,  
Pashley,  
Perry, P. E.,  
Petrosky,

Willaredt,  
Wynd,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—58

Anderson,  
Barton,  
Branca,  
Cianfrani,  
Crossin,  
Curwood,  
Dennison,  
Edwards,  
Ellberg,  
Eshleman,  
Farabaugh,  
Fineman,  
Floyd,  
Fox,  
Gailey,

Gelfand,  
Goldstein,  
Goodrich,  
Heavey,  
Jump,  
Kovolenko,  
Kubitsky,  
Limper,  
Lopresti,  
McCandless,  
McCormack,  
Mahan,  
Meholchick,  
Munley,  
Musto,

Silverman,  
Strausser,  
Verona,  
Wall,  
Wargo,  
Weidner,  
Wescott,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Wilt,  
Wood,  
Worley,  
Yatron,

## NOT VOTING—18

Balthaser,  
Cooper,  
Donaldson,  
Frascella,  
Garlock,

Kornick,  
Luigard,  
Miller, H. G.,  
Monroe,  
Moran,

Sakulsky,  
Schuster,  
Snare,  
Sullivan,

Thompson,  
Trusio,  
Varallo,  
Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 475, entitled:

An Act amending the act of June 25, 1947 (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" increasing the salaries of certain county officers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. I voted for House Bill 474 because it seemed to be what the Representatives of third class counties wanted, and it was not any of my particular business to disagree with them.

Now we get to Senate Bill 475, fourth class counties.

Any way I vote for this bill I am being played for a sucker. It used to be the office holders in the counties came down here by separate associations. The county treasurers would come down and want a raise. They did not get all they wanted but they generally got something. The county commissioners would come down as an association and ask for a raise. They would not get what they wanted but they would get something. So some bright genius, some master mind, skilled in organization and the arts of legislative compulsion, said, we will show those fellows there in the House, we will show them a trick or two,—most all of these officers belong to a state organization—we will get together and we will come down with a schedule, and we will have raises across the board, irrespective of the responsibilities of the various offices. We will give the county commissioners a \$2,000 raise, we will give the coroner a \$2,000 raise and

we will give the clerk of courts a \$2,000 raise. And we were caught.

In my county the district attorney deserves a \$2,000 raise. In my county the county controller is very courageous and deserves a raise. In my county the two county commissioners deserve a raise. But not a single one of the other officers deserve a raise. And so, what is a body to do? If you vote yes for the bill, you are wrong; if you vote no for the bill, you are wrong. That, parenthetically, is because the procedure we are following is basically and fundamentally wrong.

We should have in each county a salary board. The county commissioners are the business managers of the county. They are responsible for the conduct of county affairs. This General Assembly should place maximum figures for county officials and then these salaries should be fixed in each respective county in accordance with the wishes of the people in that county.

I resent having this bill crowded down my throat. I know that our district attorney, our county controller, and our county commissioners are entitled to a raise. I resent the way the organized office holders have come down here and placed us in this dilemma. I have to beat either an inglorious retreat, or vote for a salary increase for deserving office holders and let some of the less deserving in view of their responsibilities trail along. So I have no alternative but to vote for the bill. I resent with every fiber of my being that I should be placed in this equivocal position.

Mr. FARABAUGH. Mr. Speaker, some of the things the previous speaker has said, I can agree with; some of them I cannot. And of course you can readily see that very often Mr. Andrews and I disagree.

However, I have had several things in my mind since these bills have been on the calendar, and that has been for some time. I have observed a few things around this House and elsewhere. I also, as Mr. Andrews has said, resent having a package handed to us and have it said, that is it.

I have made some effort to have amendments in these bills to correct some inequities. Some efforts were made here yesterday, and were defeated. I happen to know that the most, if not all, of the office holders in fourth class counties are pretty well paid for the service they are giving. I also know that I have had to, along with a lot of other people here during this Session, vote for taxes that were very unpalatable in order to meet the needs of this Commonwealth. I also know, as many of you do, that we have a lot of people out of work. They run well up into the thousands in the county from which I come.

I cannot see any reasonable thinking, nor reasonable sense, in an increase of this kind at this time, to place an additional burden on the taxpayers in our county, many of them out of work today, simply because a few people who are now living pretty well have decided they ought to have a little more. It is a pretty nice percentage of an increase, by the way. I personally cannot see it, nor can I see how the Members of this House can go along with and vote for something as unfair as this bill.

I have noticed around here that some people are concerned that the county office holders who are holding office now have helped them to get elected to office.

I want to say to you, and for those office holders in my county, in case any of them are listening, that if I owe them anything I want to pay it, not the taxpayers in my county. I hope we can get support in this House to kill this bill, which in my opinion is a very unjust, untimely piece of legislation for us to be asked to pass here in this House.

Mr. SCHAAF. Mr. Speaker, in lieu of taking up the time of the House, I would like to file some remarks for the record, if I may.

The SPEAKER pro tempore. The gentleman will send his remarks to the desk.

Mr. SHAAF. Mr. Speaker, sometime ago I made a casual promise to some of my good friends who are office holders in Erie County to the effect that I would support pay-raise legislation. In keeping with my promise, I am voting for House Bill No. 475, Printer's No. 509. I am voting against other bills in this series out of my conviction that this whole package is ill-advised at this time. But for my promise so casually made, I would also vote against House Bill No. 475.

My county has the benefit of diligent, hard-working and cooperative county officials. But also, I doubt whether, in view of the high unemployment rate in this county, taxpayers of Erie County can afford these increases. I keep my promise, but reluctantly.

Mr. KOVOLENKO. Mr. Speaker, Members of this House, I am from a fourth class county, Beaver County, and many people here know that is an industrial county. When they took the machinery tax off that hit Beaver County pretty hard with the assessments. Many homeowners' taxes increased five or six times the amount they were paying.

I am in agreement with Mr. Andrews that some of our officials do need some increase, but many of them do not. Now we are here worrying about cutting the fat out of the budget and many other things, but we are being pretty expedient at the expense of the taxpayers back home. I think that before I can support legislation of this type, we are going to have to face the fact. The people back home, I know, are opposing this. We have all kinds of increases in taxes, and this would be more assessments on the homeowners back home. So I am going to have to oppose this bill under those conditions.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—121

Agnew,	Flynn,	Lee, A. M.,	Polaski,
Ashton,	Foerster,	Lee, K. B.,	Polen,
Auker,	Frank,	Leonard,	Price,
Bell,	Fulmer,	Lippincott,	Reidenbach,
Blair,	Gallagher,	Lutty,	Riley,
Boies,	George,	McCann,	Royer,
Bonner,	Guthrie,	McDonald,	Scarcelli,
Boris,	Hamilton,	McInroy,	Schaaf,
Bower,	Helm,	McKeever,	Schwartz,
Bowman,	Henzel,	McLaughlin,	Seltzer,
Brenninger,	Hocker,	Machmer,	Snider,
Breth,	Holliday,	Magee,	Stank,
Brown,	Holt,	Markley,	Steckel,
Buchanan,	Horst,	Maxwell,	Stevens,
Burns,	Irvie,	Merry,	Stewart,
Capano,	Isaacs,	Mihm,	Stimmel,
Capitolo,	Jenkins,	Miller, B. Z.,	Stone,
Cioffi,	Jim,	Mills,	Stoner,
Clarke,	Johnson, A. W.,	Muldowney,	Stroup,
Comer,	Johnson, R.,	Murphy, A. J., Jr.	Trusio,
Davis,	Jones, F. R.,	Murray, H. P.,	Ujobai,
Dengler,	Jones, T. H. W.,	Murray, J. J.,	Varner,



Dennis, Devlin, Donahue, Dougherty, Down, Eshback, Fetterolf, Fllo, Fineman,	Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Lamb,	Murray, P. G., Naugle, O'Dell, O'Donnell, J. A., Odorisio, Oglvie, O'Neill, Petrosky,	Welsh, Wheeler, Willard, Willaredt, Wynd, Yetter, Andrews, Speaker
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## NAYS—72

Anderson, Arlene, Balthaser, Barton, Branca, Clanfrani, Crossin, Curwood, Dennison, Edwards, Ellberg, Eshleman, Ewing, Farabaugh, Floyd, Fox, Gailey, Gelfand,	Gibb, Goldstein, Goodrich, Gramlich, Heavey, Heffner, Jump, Korns, Kovolenko, Kubitsky, Light, Limper, Lopresti, McCandless, McCormack, Mahan, Meholchick, Mullen,	Munley, Murphy, P. J., Musto, Needham, Nelson, O'Donnell, J. P., Parlante, Pashley, Perry, H. H., Perry, P. E., Prendergast, Pursley, Reibman, Renwick, Rigby, Rovanssek, Rudisill, Sherman,	Shupnik, Silverman, Strausser, Taylor, Tompkins, Verona, Wall, Wargo, Weidner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Wilt, Wood, Worley, Yatron, Zimmerman,
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## NOT VOTING—15

Cooper, Donaldson, Frascella, Garlock,	Luigard, Miller, H. G., Monroe, Moran,	Sakulsky, Schuster, Snare, Sullivan,	Thompson, Varallo, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 476, entitled:

An Act amending the act of June 25, 1947 (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" increasing the salaries of certain county officers.

On the question,

Will the House agree to the bill on third reading?

## MOTION TO RECOMMIT

Mr. GALLAGHER. Mr. Speaker, ladies and gentlemen of the House, for the reasons put to us so eloquently by the Speaker, Mr. Andrews, I move that Senate Bill 476, Printer's No. 1024, be recommitted to the Committee on Counties for further study and possible amendments.

On the question,

Will the House agree to the motion?

Mr. CIOFFI. Mr. Speaker, I will have to oppose that motion.

I would like to read something into the record, in order to help my colleagues here as to whether or not to vote for this particular bill. In the fifth class counties, which I represent, many of the officers and officials are in dire need of this increase. I can vouch for practically 100 percent of them. They are doing a very good job. I want to help them get the increase. I would like to read something that was in a Post-Gazette of recent date. This is a chart that was in the Post-Gazette of August 20. I am

using the chart based on statistics gathered by Secretary of Labor—

The SPEAKER pro tempore. Will the gentleman suspend?

The Chair would like to inform the gentleman there is a motion before the House to recommit the bill to the Committee on Counties. If the gentleman desires to debate this bill the Chair will recognize him after that motion has been disposed of.

Mr. CIOFFI. I am sorry, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. A. D. WILLIAMS. Has the motion been seconded, Mr. Speaker?

The SPEAKER pro tempore. There is no necessity for a second to the motion.

Mr. HEAVEY. Mr. Speaker, I would like to second the motion of Mr. Gallagher.

The SPEAKER pro tempore. The Chair would advise the gentleman that there is no necessity to have a second to the motion.

Mr. HEAVEY. May I speak on the motion?

The SPEAKER pro tempore. The gentleman is in order if he speaks on the motion to recommit, but not on the merits of the bill.

Mr. HEAVEY. Mr. Speaker, every man and woman in this House is a politician, a grass roots politician, elected every two years. I think it is bad timing to raise these folks' wages although they might be entitled to it. When you have steel workers on strike and you have coal miners out of work I think it is very bad timing and poor political thinking.

The SPEAKER pro tempore. The gentleman is not speaking on the motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CIOFFI. Mr. Speaker, the chart based on statistics gathered by Secretary of Labor James Mitchell, and published in the Pittsburgh Post-Gazette of Thursday, August 20, 1959, will show that since elected officials received their last increase in January 1952, the two industries in Pennsylvania, bituminous coal and steel, have received gross average hourly earnings as follows: Coal, in January 1952, the hourly rate was \$2.25; in May 1959, it was \$3.30 per hour, or an increase of \$1.05 per hour, which naturally brings it to better than \$40.00 per week. Steel—this is an average—\$1.90 per hour in January of 1952, and in May of 1959 it was \$3.10, or increase per hour of \$1.20, which brings it above the request of the county officials.

Thus, Mr. Speaker, the \$2,000 increases requested by the elected officials would amount to less than \$1.00 per hour, which would still be behind the coal and steel industries. I do feel that fifth class counties, too, should receive the same consideration as that of the third and fourth class counties.

Mr. GALLAGHER. Mr. Speaker, ladies and gentlemen of the House, I find myself in the same position now as

the Speaker. In our county we have officeholders who are deserving of increases, the county commissioners, the controller, the treasurer, the clerk of quarter sessions court, but there are some whose salaries, by these increases, would be put away out of line. In order not to deprive those who are in need of an increase, I must, like the Speaker, vote reluctantly in favor of the bill.

Mr. FARABAUGH. Mr. Speaker, I would like to interrogate Mr. Cioffi.

The SPEAKER pro tempore. Will the gentleman from Lawrence permit himself to be interrogated?

Mr. CIOFFI. I shall, Mr. Speaker.

Mr. FARABAUGH. Mr. Speaker, I would like to ask Mr. Cioffi, how many people there are in his county who are out of work?

Mr. CIOFFI. Mr. Speaker, I am not familiar with the figure, but if the gentleman will bear with me I will get those figures for him for next week.

Mr. FARABAUGH. What effect will this tax raise have on those people who have no work?

Mr. CIOFFI. Mr. Speaker, I can only say it in this fashion. If you will bear with me, I may elaborate a little.

Last Tuesday, as many of you people, I witnessed the program of Dave Garroway at which time there was a gentleman there from Little Rock, Arkansas, a man by the name of Everett Tucker.

Mr. Garroway said to him I know that you are the gentleman who out-foxed Faubus.

The gentleman said, No, I was elected by the people to carry on the duties that are assigned to me.

Mr. Garroway then asked him, Why are you here in New York?

Mr. Tucker said, I am here with one of the members of the Little Rock organization in order to bring to Little Rock some industries for the area.

I feel this way, Mr. Speaker, if we only get 10 or 15 people throughout the state of Pennsylvania to do that very thing, the increase we are now giving these people will be well deserved. Regardless of the conditions of the state today, I am sure that this condition is not going to prevail for the future.

Mr. FARABAUGH. Mr. Speaker, I want to thank the gentleman. I did not realize that I was helping him to make a nice speech.

On the question, recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Agnew,	Frank,	Leonard,
Ashton,	Fulmer,	Lippincott,
Auker,	Gallagher,	Lutty,
Bell,	George,	McCann,
Blair,	Gibb,	McDonald,
Boles,	Guthrie,	McInroy,
Bonner,	Hamilton,	McKeever,
Boris,	Heffner,	McLaughlin,
Bower,	Helm,	Machmer,
Bowman,	Henzel,	Magee,
Brenninger,	Holliday,	Markley,
Breth,	Holt,	Maxwell,
Brown,	Isaacs,	Merry,
Buchanan,	Irvis,	Mihm,
Burns,	Jenkins,	Miller, B. Z.,
Capitolo,	Jim,	Mills,
Cioffi,	Johnson, A. W.,	Muldowney,
Clarke	Johnson, R.,	Mullen,

Comer,	Jones, F. R.,	Murphy, A. J., Jr.	Taylor,
Dengler,	Jones, T. H. W.,	Murphy, P. J.,	Trusio,
Dennis,	Kamyk,	Murray, H. P.,	Ujobal,
Devlin,	Kee,	Murray, J. J.,	Varnier,
Donahue,	Kelser,	Murray, P. G.,	Welsh,
Dougherty,	Kernaghan,	Naugle,	Wheeler,
Down,	Kessler,	O'Dell,	Willard,
Ellberg,	Knecht,	O'Donnell, J. A.,	Willaredt,
Eshback,	Kooker,	Odorislo,	Wilt,
Ewing,	Kornick,	Oglivie,	Wynd,
Fetterolf,	Korns,	O'Neill,	Yetter,
Filo,	Lamb,	Parlante,	Andrews,
Flynn,	Lee, A. M.,	Pashley,	Speaker
Foerster,	Lee, K. B.,	Petrosky,	

NAYS—64

Anderson,	Gelfand,	Meholchick,	Sherman,
Balthaser,	Goldstein,	Munley,	Shupnlk,
Barton,	Goodrich,	Musto,	Silverman,
Branca,	Gramlich,	Needham,	Strausser,
Cianfrani,	Heavey,	Nelson,	Tompkins,
Crossin,	Hocker,	O'Donnell, J. P.	Wall,
Curwood,	Horst,	Perry, H. H.,	Wargo,
Davis,	Jump,	Perry, P. E.,	Weldner,
Dennison,	Kovolenko,	Prendergast,	Wescott,
Edwards,	Kubitsky,	Pursley,	Whittaker,
Eshleman,	Light,	Reibman,	Williams, A. D., Jr.,
Farabaugh,	Limper,	Renwick,	Williams, E. S.,
Fineman,	Lopresti,	Rigby,	Wood,
Floyd,	McCandless,	Rovansek,	Worley,
Fox,	McCormack,	Rudisill,	Yatron,
Galley,	Mahan,	Schaaf,	Zimmerman,

NOT VOTING—18

Arlene,	Garlock,	Sakulsky,	Thompson,
Capano,	Luigard,	Schuster,	Varallo,
Cooper,	Miller, H. G.,	Snare,	Verona,
Donaldson,	Monroe,	Sullivan,	Walsh,
Frascella,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the six class" increasing and fixing the salaries of certain county officers.

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, Senate Bill 477, Printer's No. 1295 is the salary bill pertaining to the counties of the sixth class. Mr. Speaker, I ask that all the Members of the House support this bill and vote in the affirmative.

Mr. BUCHANAN. Mr. Speaker, may I interrogate the Majority Leader?

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. BUCHANAN. What provision has been made in Senate Bill 477 for a salary increase for auditors in the sixth class counties?

Mr. McCANN. Mr. Speaker, in Senate Bill 477, Printer's No. 1295, there are no provisions for an increase of the



salary or the rate per day of auditors. With the passage of these bills, for some of the counties that have auditors, the change should be made accordingly then.

Mr. BUCHANAN. Then you are going to have separate bills?

Mr. McCANN. There would have to be. The sixth class counties, some that do have auditors, would have to agree on some change in auditors' pay. It is not in this bill, sir.

Mr. BUCHANAN. Then do I understand that possibly a separate bill will be introduced?

Mr. McCANN. I believe that it should be introduced immediately, sir.

Mr. BRETH. Mr. Speaker, this bill of course concerns sixth class counties, and I feel, as a great number of us do, that perhaps the amount of increase in salaries in the bill is a bit out of line, in some cases, away out of line, yet I think we all know that these public officials in sixth class counties are well deserving of a substantial increase. Therefore I feel the Members of the sixth class counties should go along and support this measure as the House itself has supported the measures for the fifth, fourth and third class counties. I would also at this time say, I know there are many worthy officials in my own county and many of our officials are deserving of a long awaited increase in salary.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—146

Agnew,	Fulmer,	Lutty,	Reibman,
Anderson,	Gallagher,	McCann,	Reidenbach,
Ashton,	Gelfand,	McDonald,	Riley,
Auker,	George,	McInroy,	Royer,
Balthaser,	Gibb,	McKeever,	Ruddill,
Bell,	Goodrich,	McLaughlin,	Scarcelli,
Blair,	Gramlich,	Machmer,	Schwartz,
Boles,	Guthrie,	Magee,	Seltzer,
Bonner,	Hamilton,	Markley,	Sherman,
Boris,	Heffner,	Maxwell,	Silverman,
Bower,	Helm,	Merry,	Snider,
Bowman,	Henzel,	Mihm,	Stank,
Branca,	Holliday,	Miller, B. Z.,	Steckel,
Brenninger,	Holt,	Mills,	Stevens,
Breth,	Irvis,	Muldowney,	Stewart,
Brown,	Isaacs,	Mullen,	Stimmel,
Buchanan,	Jenkins,	Munley,	Stone,
Burns,	Jim,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Johnson, A. W.,	Murphy, P. J.,	Stroup,
Cloffi,	Johnson, R.,	Murray, H. P.,	Taylor,
Clarke,	Jones, F. R.,	Murray, J. J.,	Tompkins,
Comer,	Jones, T. H. W.,	Murray, P. G.,	Trusio,
Dengler,	Kamyk,	Naugle,	Ujobal,
Dennis,	Kee,	Needham,	Varallo,
Devlin,	Keiser,	O'Dell,	Varnier,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Verona,
Dougherty,	Kessler,	O'Donnell, J. P.	Welsh,
Down,	Knecht,	Odorisio,	Wheeler,
Ellberg,	Kooker,	Ogilvie,	Williams, A.D., Jr.,
Eshback,	Kornick,	O'Neill,	Willard,
Ewing,	Korns,	Parlante,	Willaredt,
Fetterolf,	Lamb,	Pashley,	Wilt,
Filo,	Lee, A. M.,	Perry, P. E.,	Wynd,
Fineman,	Lee, K. B.,	Petrosky,	Yetter,
Flynn,	Leonard,	Polaski,	Andrews,
Foerster,	Light,	Polen,	Speaker
Frank,	Lippincott,	Price,	

## NAYS—46

Barton,	Goldstein	Meholchick,	Strausser,
Cianfrani,	Heavey,	Musto,	Wall,
Crossin,	Hocker,	Nelson,	Wargo,
Curwood,	Horst,	Perry, H. H.,	Weldner,
Davis,	Jump,	Prendergast,	Wescott,
Dennison,	Kovolenko,	Pursley,	Whittaker,

Edwards,  
Eshleman,  
Farabaugh,  
Floyd,  
Fox,  
Galley,

Kubitsky,  
Limper,  
Lopresti,  
McCandless,  
McCormack,  
Mahan,

Renwick,  
Rigby,  
Rovasek,  
Schaaf,  
Shupnik,

Williams, E. S.,  
Wood,  
Worley,  
Yatron,  
Zimmerman,

## NOT VOTING—16

Arlene,  
Capano,  
Cooper,  
Donaldson,

Frascella,  
Garlock,  
Luigard,  
Miller, H. G.,

Monroe,  
Moran,  
Sakulsky,  
Schuster,

Snare,  
Sullivan,  
Thompsona,  
Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" increasing the salaries of certain employees and county officers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RENWICK. Mr. Speaker, after observing the vote that we have received on a number of these bills, I can imagine what I have to say will fall on deaf ears. I do not imagine there will be any changes, but noting what happened here when my good friend, Steven McCann, our Floor Leader, got up, when he was successful in changing a few, maybe there is a possibility that I can do the same thing; only I would like them done in a reverse direction.

I rise to oppose this Senate Bill No. 478 for the simple reason that when I was elected as a Member of this House of Representatives, I was elected to represent the people of my county, and that is what I aim to do and have been doing since I have been down here. I was not elected to represent the commissioners' or the Sheriffs' Associations or the groups of people who come here and lobby against the people from my county, and those are the people who are going to have to pay these bills. They are going to have to pay for every bit of raise that we give them.

I am going to tell you this in small counties, such as mine, in a seventh class county, the people who serve in these offices are nothing but part time people. They do more or less jobs that are given to them as a hobby. It is not a hard-working job; none of them exert themselves; and, as I have said before and have told a number of you people, all those people do is work a few hours a week. And what are you people giving them here? What kind of a raise are you giving them? I say stop and examine your conscience, stop and think what you are doing.

So I ask you, in Heaven's name, vote against this bill.

Mr. YETTER. Mr. Speaker, Members of the House, I rise to support this bill.

I too come from a seventh class county and in our county our officials, all except the commissioners, the jury commissioners and the auditors, all the other officials, work a full day, five and a half days a week in their office. Our sheriff spends well over ten hours a day in his office. He has a lot of responsibility. Our district attorney has a heavy load. We had a very good district attorney who could have been reelected without any trouble, but he did not seek reelection because of the inadequacy of the compensation. I ask the Members of the House to support this bill like they did the other bills.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—129

Agnew,	Fulmer,	Lippincott,	Polen,
Ashton,	Gallagher,	Lutty,	Price,
Auker,	Gelfand,	McCann,	Reibman,
Bell,	George,	McDonald,	Reidenbach,
Blair,	Gibb,	McInroy,	Riley,
Boles,	Guthrie,	McKeever,	Royer,
Bonner,	Hamilton,	McLaughlin,	Scarcelli,
Boris,	Heffner,	Machmer,	Schwartz,
Bower,	Helm,	Magee,	Seltzer,
Bowman,	Henzel,	Markley,	Snider,
Brenninger,	Holliday,	Maxwell,	Stank,
Breth,	Holt,	Merry,	Steckel,
Brown,	Irviss,	Mihm,	Stevens,
Buchanan,	Isaacs,	Miller, B. Z.,	Stewart,
Burns,	Jenkins,	Mills,	Stimmel,
Capitolo,	Jim,	Muldowney,	Stone,
Cioffi,	Johnson, A. W.,	Mullen,	Stoner,
Clarke,	Johnson, R.,	Murphy, A. J., Jr.	Stroup,
Comer,	Jones, F. R.,	Murphy, P. J.,	Taylor,
Dengler,	Jones, T. H. W.,	Murray, H. F.,	Trusio,
Dennis,	Kamyk,	Murray, J. J.,	Ujobal,
Devlin,	Kee,	Murray, P. G.,	Varallo,
Donahue,	Keiser,	Naugle,	Welsh,
Dougherty,	Kernaghan,	O'Dell,	Wheeler,
Down,	Kessler,	O'Donnell, J. A.,	Williams, E. S.,
Ellberg,	Knecht,	Odorisio,	Willard,
Eshback,	Kooker,	Oglvie,	Willaredt,
Ewing,	Kornick,	O'Neil,	Wilt,
Fetterolf,	Korns,	Parlante,	Wynd,
Flo,	Lamb,	Pashley,	Yetter,
Flynn,	Lee, A. M.,	Petrofsky,	Andrews,
Foerster,	Lee, K. B.,	Polaski,	Speaker
Frank,	Leonard,		

## NAYS—63

Anderson,	Goldstein	Munley,	Silverman,
Balthaser,	Goodrich,	Musto,	Strausser,
Barton,	Gramlich,	Needham,	Tompkins,
Branca,	Heavey,	Nelson,	Varner,
Cianfrani,	Hocker,	O'Donnell, J. P.	Verona,
Crossin,	Horst,	Perry, H. H.,	Wall,
Curwood,	Jump,	Perry, P. E.,	Wargo,
Davis,	Kovolenko,	Prendergast,	Weidner,
Dennison,	Kubitsky,	Pursley,	Wescott,
Edwards,	Light,	Renwick,	Whittaker,
Eshleman,	Limper,	Rigby,	Williams, A.D., Jr.,
Farabaugh,	Lopresti,	Rovansek,	Wood,
Fineman,	McCandless,	Rudisill,	Worley,
Floyd,	McCormack,	Schaaf,	Yatron,
Fox,	Mahan,	Sherman,	Zimmerman,
Galley,	Meholchick,	Shupnik,	

## NOT VOTING—16

Arlene,	Frascella,	Monroe,	Snare,
Capano,	Garlock,	Moran,	Sullivan,
Cooper,	Luigard,	Sakulsky,	Thompson,
Donaldson,	Miller, H. G.,	Schuster,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain officers in counties of the eighth class.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, in 479 they have not only placed the bill in a state of confusion such as all the rest of the bills are by having incorporated all the row offices into one bill, but they have compounded that confusion by splitting the eighth class counties into two separate divisions in population size and incorporating fees of both classes into one bill. That, I think, is unfair for a vote for the classes of the counties which are incorporated in that one bill, which none of the other counties had incorporated in their bills.

I could be for the eighth class counties over 12,000, but I must be, on account of instructions from my row offices, against row offices in counties who have under 12,000. That places you in a dilemma worse than any of them that have been before this House today.

I want to reiterate what I said yesterday and which I am happy to see at least one Member of this House has adopted, that I think the proper solution to the problem of our row offices would be to set a floor and a ceiling, to send the stuff back home and let the people back home determine exactly what they want their officers to get, instead of our sitting here in Harrisburg and writing county budgets.

I must vote against this bill because of the confusion that is compounded in this bill.

Mr. ESHBACK. Mr. Speaker, I have served in three of the offices in the courthouse in an eighth class county, Pike County. I have served as county treasurer, prothonotary, register and recorder, and seven years as a county commissioner. Now it would have been very nice, of course, if in the past you had given the county salary boards the permission and the right to fix these salaries, but since they have left it up to this Assembly, I feel it is our duty to establish salaries commensurate with the service that these various officials give to the various counties, whatever class they happen to be.

Our district attorney receives the sum of \$1,200, and it is difficult for us to find anyone to run for the office. In fact, there is only one candidate for the office for the coming term. Our commissioners receive the sum of \$1,500 and \$300 for institutional work. We are a county of 10,000 population, but that is only half the story. We have that many who are non-residents. So, we are larger than the census would indicate. Our sheriff must serve fulltime at a salary of \$2,200 and, if he did not have some other income besides the sheriff's salary, I doubt very much if we could get any man worthy of the office to serve the same.



I therefore ask each and everyone of you to approve this bill and give it your wholehearted support.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—133

Agnew,	Foerster,	Leonard,	Polaski,
Arlene,	Frank,	Lippincott,	Polen,
Ashton,	Fulmer,	Lutty,	Price,
Auker,	Gallagher,	McCann,	Reidenbach,
Balthaser,	George,	McDonald,	Riley,
Bell,	Gibb,	McInroy,	Royer,
Blair,	Guthrie,	McKeever,	Scarcell,
Boles,	Hamilton,	McLaughlin,	Schwartz,
Bonner,	Heavy,	Machmer,	Seltzer,
Boris,	Heffner,	Magee,	Snider,
Bower,	Helm,	Markley,	Stank,
Bowman,	Henzel,	Maxwell,	Steckel,
Brenninger,	Holliday,	Merry,	Stevens,
Breth,	Holt,	Mihm,	Stewart,
Brown,	Irviss,	Miller, B. Z.,	Stimmel,
Buchanan,	Isaacs,	Mills,	Stone,
Burns,	Jenkins,	Muldowney,	Stoner,
Capitolo,	Jim,	Mullen,	Stroup,
Cianfrani,	Johnson, A. W.,	Murphy, A. J., Jr.,	Taylor,
Cioffi,	Johnson, R.,	Murphy, P. J.,	Trusio,
Clarke,	Jones, F. R.,	Murray, H. P.,	Ujobal,
Comer,	Jones, T. H. W.,	Murray, J. J.,	Varallo,
Dengler,	Kamyk,	Murray, P. G.,	Varner,
Dennis,	Kee,	Naugle,	Wargo,
Devlin,	Kelser,	Needham,	Welsh,
Donahue,	Kernaghan,	O'Dell,	Wheeler,
Dougherty,	Kessler,	O'Donnell, J. A.,	Willard,
Down,	Knecht,	Odorisio,	Willaredt,
Elberg,	Kooker,	Ogilvie,	Wilt,
Eshback,	Kornick,	O'Neill,	Wynd,
Ewing,	Korns,	Parlante,	Yetter,
Fetterolf,	Lamb,	Pashley,	Andrews,
Filo,	Lee, A. M.,	Petrofsky,	Speaker
Flynn,	Lee, K. B.,		

NAYS—59

Anderson,	Goldstein,	Munley,	Shupnik,
Barton,	Goodrich,	Musto,	Silverman,
Branca,	Gramlich,	Nelson,	Strausser,
Crossin,	Hocker,	O'Donnell, J. P.,	Tompkins,
Curwood,	Horst,	Perry, H. H.,	Wall,
Davis,	Jump,	Perry, P. E.,	Weldner,
Dennison,	Kovolenko,	Prendergast,	Wescott,
Edwards,	Kubitsky,	Pursley,	Whittaker,
Eshleman,	Light,	Reibman,	Williams, A. D., Jr.,
Farabaugh,	Limper,	Renwick,	Williams, E. S.,
Fineman,	Lopresti,	Rigby,	Wood,
Floyd,	McCandless,	Rovanssek,	Worley,
Fox,	McCormack,	Rudisill,	Yatron,
Galley,	Mahan,	Schaaf,	Zimmerman,
Gelfand,	Meholchick,	Sherman,	

NOT VOTING—16

Capano,	Garlock,	Moran,	Sullivan,
Cooper,	Luigard,	Sakulsky,	Thompson,
Donaldson,	Miller, H. G.,	Schuster,	Verona,
Frascella,	Monroe,	Snare,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 480, entitled:

An Act amending the act of May 6, 1874 (P. L. 125), entitled "An act regulating state tax on certain county offices" increasing the maximum amount of fees that certain offices may retain.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Agnew,	Frascella,	Lutty,	Renwick,
Anderson,	Fulmer,	McCandless,	Rigby,
Arlene,	Galley,	McCann,	Riley,
Ashton,	Gallagher,	McCormack,	Rovanssek,
Auker,	Garlock,	McDonald,	Royer,
Balthaser,	Gelfand,	McInroy,	Rudisill,
Barton,	George,	McKeever,	Scarcell,
Bell,	Gibb,	McLaughlin,	Schuster,
Blair,	Goldstein,	Machmer,	Schwartz,
Boles,	Goodrich,	Magee,	Seltzer,
Bonner,	Gramlich,	Mahan,	Sherman,
Boris,	Guthrie,	Markley,	Shupnik,
Bower,	Hamilton,	Maxwell,	Silverman,
Bowman,	Heavy,	Meholchick,	Snider,
Brenninger,	Heffner,	Merry,	Stank,
Breth,	Helm,	Mihm,	Steckel,
Brown,	Henzel,	Miller, B. Z.,	Stevens,
Buchanan,	Hocker,	Mills,	Stewart,
Burns,	Holliday,	Monroe,	Stimmel,
Capano,	Holt,	Muldowney,	Stone,
Capitolo,	Horst,	Mullen,	Stoner,
Cianfrani,	Irviss,	Munley,	Strausser,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobal,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Kelser,	O'Donnell, J. A.,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. P.,	Welsh,
Down,	Kessler,	Odorisio,	Wescott,
Edwards,	Knecht,	Ogilvie,	Wheeler,
Elberg,	Kooker,	O'Neill,	Whittaker,
Eshback,	Kornick,	Parlante,	Williams, A. D., Jr.,
Eshleman,	Korns,	Pashley,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, H. H.,	Willard,
Farabaugh,	Kubitsky,	Perry, P. E.,	Willaredt,
Fetterolf,	Lamb,	Petrofsky,	Wilt,
Filo,	Lee, A. M.,	Polaski,	Wood,
Fineman,	Lee, K. B.,	Polen,	Wynd,
Floyd,	Leonard,	Prendergast,	Yatron,
Flynn,	Light,	Price,	Yetter,
Foerster,	Limper,	Pursley,	Zimmerman,
Frank,	Lippincott,	Reibman,	Andrews,
	Lopresti,	Reidenbach,	Speaker

NAYS—3

Schaaf,	Weldner,	Worley,
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NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Luigard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 481, entitled:

An Act amending the act of July 29, 1953 (P. L. 981), entitled "An act fixing the fees and mileage of the coroner in counties of the third class" increasing certain fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—182

Agnew,	Frascella,	Lutty,	Rigby,
Anderson,	Fulmer,	McCandless,	Riley,
Arlene,	Gallagher,	McCann,	Rovansek,
Ashton,	Garlock,	McCormack,	Royer,
Auker,	Gelfand,	McDonald,	Rudisill,
Balthaser,	George,	McInroy,	Scarcelli,
Barton,	Gibb,	McKeever,	Schuster,
Bell,	Goldstein,	McLaughlin,	Schwartz,
Blair,	Goodrich,	Machmer,	Seltzer,
Boies,	Gramlich,	Magee,	Sherman,
Bonner,	Guthrie,	Mahan,	Silverman,
Boris,	Hamilton,	Maxwell,	Snider,
Bower,	Heavey,	Markley,	Stank,
Bowman,	Heffner,	Merry,	Steckel,
Branca,	Helm,	Mihm,	Stevens,
Brenninger,	Henzel,	Miller, B. Z.,	Stewart,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Holliday,	Monroe,	Stone,
Buchanan,	Holt,	Muldowney,	Stoner,
Burns,	Horst,	Mullen,	Strausser,
Capano,	Irvis,	Munley,	Stroup,
Capitolo,	Isaacs,	Murphy, A. J., Jr.,	Taylor,
Cianfrani,	Jenkins,	Murphy, P. J.,	Tompkins,
Cioffi,	Jim,	Murray, H. P.,	Trusio,
Clarke,	Johnson, A. W.,	Murray, J. J.,	Ujobai,
Comer,	Johnson, R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, F. R.,	Musto,	Varner,
Dennis,	Jones, T. H. W.,	Naugle,	Verona,
Dennison,	Kamyk,	Needham,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Kelser,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wheeler,
Down,	Knecht,	O'Neil,	Whittaker,
Ellberg,	Kooker,	Parlante,	Williams, A. D., Jr.,
Eshback,	Kornick,	Pashley,	Williams, E. S.,
Eshleman,	Korns,	Perry, P. E.,	Willard,
Ewing,	Kovolenko,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wilt,
Filo,	Lee, A. M.,	Polen,	Wood,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Light,	Pursley,	Yetter,
Foerster,	Limper,	Reibman,	Zimmerman,
Fox,	Lippincott,	Reidenbach,	Andrews,
Frank,	Lopresti,	Renwick,	Speaker

## NAYS—17

Crossin,	Jump,	O'Donnell, J. P.,	Weidner,
Curwood,	Kubitsky,	Perry, H. H.,	Wescott,
Davis,	Meholchick,	Schaaf,	Worley,
Edwards,	Nelson,	Shupnik,	Yatron,
Galley,			

## NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Farabaugh,	Moran,	Snare,	Thompson,
Lulgard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 482, entitled:

An Act amending the act of January 7, 1952 (P. L. 1844), entitled as amended "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes" increasing certain fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—177

Agnew,	Frascella,	McCann,	Rigby,
Anderson,	Fulmer,	McCormack,	Riley,
Arlene,	Gallagher,	McDonald,	Rovansek,
Ashton,	Garlock,	McInroy,	Royer,
Auker,	George,	McKeever,	Scarcelli,
Balthaser,	Gibb,	McLaughlin,	Schuster,
Barton,	Goldstein,	Machmer,	Schwartz,
Bell,	Goodrich,	Magee,	Seltzer,
Blair,	Gramlich,	Mahan,	Silverman,
Boies,	Guthrie,	Markley,	Snider,
Bonner,	Hamilton,	Maxwell,	Stank,
Boris,	Heavey,	Merry,	Steckel,
Bower,	Heffner,	Mihm,	Stevens,
Bowman,	Helm,	Miller, B. Z.,	Stewart,
Brenninger,	Henzel,	Mills,	Stimmel,
Breth,	Hocker,	Monroe,	Stone,
Brown,	Holliday,	Muldowney,	Stoner,
Buchanan,	Holt,	Mullen,	Strausser,
Burns,	Irvis,	Munley,	Stroup,
Capano,	Isaacs,	Murphy, A. J., Jr.,	Taylor,
Capitolo,	Jenkins,	Murphy, P. J.,	Tompkins,
Cianfrani,	Jim,	Murray, H. P.,	Trusio,
Cioffi,	Johnson, A. W.,	Murray, J. J.,	Ujobai,
Clarke,	Johnson, R.,	Murray, P. G.,	Varallo,
Comer,	Jones, F. R.,	Musto,	Varner,
Dengler,	Jones, T. H. W.,	Naugle,	Verona,
Dennis,	Kamyk,	Needham,	Wall,
Dennison,	Kee,	O'Dell,	Walsh,
Devlin,	Kelser,	O'Donnell, J. A.,	Wargo,
Donahue,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wheeler,
Down,	Knecht,	O'Neil,	Whittaker,
Ellberg,	Kooker,	Parlante,	Williams, A. D., Jr.,
Eshback,	Kornick,	Pashley,	Williams, E. S.,
Eshleman,	Korns,	Perry, P. E.,	Willard,
Ewing,	Lamb,	Petrosky,	Willaredt,
Farabaugh,	Lee, A. M.,	Polaski,	Wilt,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Filo,	Leonard,	Prendergast,	Wynd,
Fineman,	Light,	Reibman,	Yatron,
Floyd,	Limper,	Reidenbach,	Yetter,
Flynn,	Lippincott,	Price,	Zimmerman,
Foerster,	Lopresti,	Pursley,	Andrews,
Fox,	Lutty,	Renwick,	Speaker
Frank,	McCandless,		

## NAYS—22

Branca,	Gelfand,	Nelson,	Sherman,
Crossin,	Horst,	O'Donnell, J. P.,	Shupnik,
Curwood,	Jump,	Perry, H. H.,	Weidner,
Davis,	Kovolenko,	Rudisill,	Wescott,
Edwards,	Kubitsky,	Schaaf,	Worley,
Galley,	Meholchick,		

## NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Lulgard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 483, entitled:

An Act amending the act of May 13, 1949 (P. L. 1328) entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class" increasing certain fees.

And said bill having been read at length the third time, considered and agreed to.



On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consttition the yeas and nays were taken and were as follows:

## YEAS—184

Agnew,	Frascella,	Lutty,	Renwick,
Anderson,	Fulmer,	McCandless,	Rigby,
Arlene,	Galley,	McCann,	Riley,
Ashton,	Gallagher,	McCormack,	Rovansek,
Auker,	Garlock,	McDonald,	Royer,
Balthaser,	Gelfand,	McInroy,	Rudisill,
Barton,	George,	McKeever,	Scarcelli,
Bell,	Gibb,	McLaughlin,	Schuster,
Blair,	Goldstein,	Machmer,	Schwartz,
Boles,	Goodrich,	Magee,	Seltzer,
Bonner,	Gramlich,	Mahan,	Sherman,
Boris,	Guthrie,	Markley,	Silverman,
Bower,	Hamilton,	Maxwell,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Irviss,	Munley,	Stroup,
Capitolo,	Isaacs,	Murphy, A. J., Jr.	Taylor,
Cianfrani,	Jenkins,	Murphy, P. J.,	Tompkins,
Cioffi,	Jim,	Murray, H. P.,	Trusio,
Clarke,	Johnson, A. W.,	Murray, J. J.,	Ujobai,
Comer,	Johnson, R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, F. R.,	Musto,	Varnier,
Dennis,	Jones, T. H. W.,	Naugle,	Verona,
Dennison,	Kamyk,	Needham,	Wall,
Devlin,	Kee,	O'Dell,	Walsh,
Donahue,	Kelser,	O'Donnell, J. A.,	Wargo,
Dougherty,	Kernaghan,	O'Donnell, J. P.	Welsh,
Down,	Kessler,	Odorisio,	Wheeler,
Edwards,	Knecht,	Ogilvie,	Whittaker,
Ellberg,	Kooker,	O'Neill,	Williams, A. D., Jr.,
Eshback,	Korns,	Parlante,	Williams, E. S.,
Eshleman,	Kornick,	Pashley,	Willard,
Ewing,	Kovolenko,	Perry, P. E.,	Willardt,
Farabaugh,	Lamb,	Petrosky,	Wilt,
Fetterolf,	Lee, A. M.,	Polaski,	Wood,
Filo,	Lee, K. B.,	Polen,	Wynd,
Fineman,	Leonard,	Prendergast,	Yatron,
Floyd,	Light,	Pursley,	Yetter,
Flynn,	Limper,	Pursley,	Zimmerman,
Foerster,	Lippincott,	Reidman,	Andrews,
Fox,	Loprestl,	Reidenbach,	Speaker
Frank,			

## NAYS—15

Crossin,	Jump,	Perry, H. H.,	Weldner,
Curwood,	Kubitsky,	Schaaf,	Wescott,
Davis,	Meholchick,	Shupnik,	Worley,
Horst,	Nelson,	Strausser,	

## NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Lulgard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consttition the yeas and nays were taken and were as follows:

## YEAS—182

Agnew,	Fox,	Lippincott,	Reidenbach,
Anderson,	Frank,	Loprestl,	Rigby,
Arlene,	Frascella,	Lutty,	Riley,
Ashton,	Fulmer,	McCandless,	Rovansek,
Auker,	Gallagher,	McCann,	Royer,
Balthaser,	Garlock,	McCormack,	Rudisill,
Barton,	Gelfand,	McDonald,	Scarcelli,
Bell,	George,	McInroy,	Schuster,
Blair,	Gibb,	McKeever,	Schwartz,
Boles,	Goldstein,	McLaughlin,	Seltzer,
Bonner,	Goodrich,	Machmer,	Sherman,
Boris,	Gramlich,	Magee,	Silverman,
Bower,	Guthrie,	Mahan,	Snider,
Bowman,	Hamilton,	Markley,	Stank,
Branca,	Heavey,	Maxwell,	Steckel,
Brenninger,	Heffner,	Merry,	Stevens,
Breth,	Helm,	Mihm,	Stewart,
Brown,	Henzel,	Miller, B. Z.,	Stimmel,
Buchanan,	Hocker,	Mills,	Stone,
Burns,	Holliday,	Monroe,	Stoner,
Capano,	Holt,	Muldowney,	Stroup,
Capitolo,	Horst,	Mullen,	Taylor,
Cianfrani,	Irviss,	Munley,	Tompkins,
Cioffi,	Isaacs,	Murphy, A. J., Jr.,	Trusio,
Clarke,	Jenkins,	Murphy, P. J.,	Ujobai,
Comer,	Jim,	Murray, H. P.,	Varallo,
Davis,	Johnson, A. W.,	Murray, J. J.,	Varnier,
Dengler,	Johnson, R.,	Murray, P. G.,	Verona,
Dennis,	Jones, F. R.,	Musto,	Wall,
Dennison,	Jones, T. H. W.,	Naugle,	Walsh,
Devlin,	Kamyk,	Needham,	Wargo,
Donahue,	Kee,	O'Dell,	Welsh,
Dougherty,	Kelser,	O'Donnell, J. A.,	Wheeler,
Down,	Kernaghan,	Odorisio,	Whittaker,
Edwards,	Kessler,	Ogilvie,	Williams, A. D., Jr.,
Ellberg,	Knecht,	O'Neill,	Williams, E. S.,
Eshback,	Kooker,	Parlante,	Willard,
Eshleman,	Kornick,	Pashley,	Willardt,
Ewing,	Korns,	Perry, P. E.,	Wilt,
Farabaugh,	Kovolenko,	Petrosky,	Wood,
Fetterolf,	Lamb,	Polaski,	Wynd,
Filo,	Lee, A. M.,	Polen,	Yatron,
Fineman,	Lee, K. B.,	Prendergast,	Yetter,
Floyd,	Leonard,	Price,	Andrews,
Flynn,	Light,	Pursley,	Speaker
Foerster,	Limper,	Reibman,	

## NAYS—17

Crossin,	Meholchick,	Renwick,	Weldner,
Curwood,	Nelson,	Schaaf,	Wescott,
Galley,	O'Donnell, J. P.,	Shupnik,	Worley,
Jump,	Perry, H. H.,	Strausser,	Zimmerman,
Kubitsky,			

## NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Lulgard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I yield to the gentleman from Washington, the Chairman of the Appropriations Committee, on this bill.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Polen, I will make these prefatory remarks first and then I want to ask you a question

It was the fond hope of everyone, when the shortway was designated as the toll-free cross-state highway, and we all realize it will take from 10 to 15 years to complete the shortway, but it was hoped by everyone that when the shortway was finally constructed the Pennsylvania turnpike would also be pretty well paid for so that there would not be very many outstanding bonds and that maybe they could be paid off without too much effort so that both roads would be toll-free.

With that statement, what is the plan with respect to the building of these tunnels? The bill calls for four-lane tunnels. Is the money presently available in the treasury of the Turnpike Commission to build these tunnels?

Mr. POLEN. No, Mr. Speaker, it is not presently available.

Mr. A. W. JOHNSON. Do you know how much it will cost to build the tunnel?

Mr. POLEN. Well, Mr. Speaker, it is estimated to build the two tunnels will cost something around \$60 million. However, the Commission is about to enter into an agreement with their consulting engineer for a special engineering survey for the purpose of determining the feasibility of providing relief for the Laurel Hill and Allegheny tunnels. This report is scheduled to be submitted to the General Assembly on or about January 1, 1960.

Mr. A. W. JOHNSON. I am not too familiar with the area between Irwin and Middlesex. Does that line of road cover all the tunnels between Carlisle and Irwin?

Mr. POLEN. No, it does not. Those two tunnels are the tunnels between Bedford and Irwin. That is the situation there where we have the congestion due to the tunnels. I might say, Mr. Speaker, that in this survey they are also going to ascertain if it might be more feasible to construct lanes rather than tunnels and that is the reason that I amended the bill yesterday.

Mr. A. W. JOHNSON. Then as I understand it—don't get me wrong. I am not against the bill. We are just asking for information because of the tremendous interest on the shortway people as to the status of the two roads—would the \$60-odd million have to also be arranged for through the sale of turnpike bonds?

Mr. POLEN. It would, Mr. Speaker, and the Turnpike Commission feels that they already have the authority to do that, and that this bill is not necessary in the opinion of their counsel. However, they prefer that we do pass this bill and, I might say, as far as the additional cost would be, if it is around the figure that they now estimate, they could issue them under the 1948 indenture which extend the payment of that series of bonds, probably, five or six years.

Mr. A. W. JOHNSON. Another question then, do I understand that if you just make these two tunnels four-lane, that will mean the entire turnpike will be able to qualify under the National Interstate Highway Defense Act? Is that right?

Mr. POLEN. I do not believe that is correct, Mr. Speaker.

Mr. A. W. JOHNSON. Do you mean that in order to qualify we would have to make all the tunnels on the turnpike four-lane?

Mr. POLEN. I believe that is correct, Mr. Speaker.

Mr. A. W. JOHNSON. Thank you.

Mr. POLEN. I might say, Mr. Speaker, that for those of us who travel from the western end and are familiar with the delays which might be 30 minutes or 40 minutes, or even the other Sunday, it was an hour and ten minutes before I could get through the one tunnel, the Laurel Hill tunnel, I might say that there is a lot of interest in this bill. A Senator from Somerset discussed it with me and he feels it is a real necessity that we pass this legislation because the turnpike traffic on that end is increasing and it creates a bottleneck at these tunnels. I believe that the commission is right in making a survey so that they will know what it will cost and the feasibility of also making lanes rather than tunnels, and I believe that we should support this bill, both sides of the House.

Mr. HOCKER. Mr. Speaker, I would like the record to show that if this bill passes, and it is just a piece of paper, but if it passes, I hope you have more success with it, you people from the western end, than we had with the legislation we put through this House last Session to make them paint those dark holes out there in the mountains and put different lights in them.

Mr. McCANN. Mr. Speaker, I want to clear one point that Mr. Johnson brought up.

This bill covers all the tunnels, in a sense, the way it is written between Middlesex and Irwin, the old original turnpike.

Then the next question that I want to clear carefully because he asked about the interstate highway system. The proposal that was made at one time dealt with from Breezewood, Pennsylvania, I believe, to the area that you are speaking of and these tunnels are located in that area. These are the two tunnels that we call, as we come eastward from the west, No. 1 and No. 2. There are seven in a row. As you travel the pike every week, these are the first two. These are the two bad ones that are there.

One other thing that I think should be said in defense of perhaps the Turnpike Commission is, I just wonder if the gentleman from Dauphin, Mr. Hocker, knew that they did paint the tunnels. You would never know it. We who travel every week were there when they were painting them, and for your information one tunnel was painted, or did you know that? And, my friend, you would never know that it was painted. The engineering people in that business still have not got the answer. The paint, my friends, has not stood up after a short period of heavy traffic. The tunnel was painted and sprayed with a white paint of some type, whatever may have been proper, and, my friend, it was just as black as coal in no time at all. In case you are interested, these tunnels were done, I should say, and the others, on an



experimental basis. We watched as they did this on mostly the midnight shift, from midnight to eight in the morning—and some of us do travel at three, four or five o'clock on the turnpike—and we noticed this with deep interest and checked it very carefully. I hoped they could paint them also, as long as they find the paint that would do the job.

Mr. HOCKER. Mr. Speaker, I would ask the gentleman, Mr. McCann, whether he would sit down with me sometime in the near future and try to figure out something. If that is true, then maybe we have a ventilation problem out there.

Mr. McCANN. I believe every one who travels them every week will agree, you sure do have a ventilation problem.

Mr. HOCKER. Well, then, Mr. Speaker, may I say to the gentleman, let us sit down and try to iron that out. I think it is a very serious problem on the pike.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—198

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irvs,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobai,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varnier,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Keiser,	O'Donnell, J. P.	Weidner,
Donahue,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neil,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Eilberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korna,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, P. E.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Wynd,
Fineman,	Leonard,	Price,	Yatron,
Floyd,	Limper,	Pursley,	Yetter,
Flynn,	Light,	Reibman,	Zimmerman,
Foerster,	Lippincott,	Reidenbach,	
Fox,	Lopresti,	Renwick,	
Frank,	Lutty,	Rigby,	Andrews, Speaker

## NAYS—1

Worley,

## NOT VOTING—9

Cooper,	Miller, H. G.,	Sakulsky,	Sullivan,
Donaldson,	Moran,	Snare,	Thompson,
Luigard,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 587, entitled:

An Act amending the act of February 9, 1901 (P. L. 6) entitled "An act to permit the classification by railroad railway and transportation corporations of their boards of directors or managers" providing that the classes of directors or managers of such companies shall be as nearly equal in number as possible.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Mihm,	Snider,
Bowman,	Heavey,	Meholchick,	Stank,
Branca,	Heffner,	Merry,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irvs,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobai,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varnier,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Keiser,	O'Donnell, J. P.	Weidner,
Donahue,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neil,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Eilberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korna,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, P. E.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Light,	Reibman,	Yetter,
Foerster,	Lippincott,	Reidenbach,	Zimmerman,
Fox,	Lopresti,	Renwick,	Andrews, Speaker
Frank,	Lutty,	Rigby,	

## NAYS—0

## NOT VOTING—9

Cooper,	Luigard,	Moran,	Snare,
Donaldson,	Miller, H. G.,	Sakulsky,	Sullivan,
			Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 685, entitled:

An Act repealing section 802 of the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" relating to the use of textbooks for a period of not less than five years.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VARNER. Mr. Speaker, I wonder if I might have someone on the other side perhaps who is familiar with this bill, explain just what they are trying to accomplish with it.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated or make an explanation of the bill?

Mr. VARNER. Mr. McCann, you have the question.

Mr. McCANN. Mr. Speaker, Senate Bill 685, on which the gentleman from Clarion, Mr. Varner, has requested some information, in the Public School Code of 1949, if you will check, the school boards now when they buy a textbook are required by the law that is in the Code, to keep this textbook for a period of five years. This repeals the section dealing with that and this is some of the basic information.

Textbooks which you may purchase this year for example, take P.D., problems of democracy, that textbook, the present textbook in a matter of two years, very easily can be out dated by the changes that occur many of which we help to change or the Congress of the United States or other information. Therefore the textbook, that addition, becomes obsolete, even though the law says they shall keep it for five years. All this repealer of this section does, under Senate Bill 685, would be that the school boards would not have to keep the textbook for five years.

Mr. VARNER. Well, Mr. Speaker, that might be one good example but cite me another one.

Mr. McCANN. Yes, very easily. Very easily. In elementary school, in the last few years in geography which is taught in all the elementary schools of Pennsylvania, in the last ten years there have been a series of new nations created, both in the African Continent and the Asian Continent and also new additional states within the United States.

Science books, we can go into that field, this is legislation that in a sense, unless you do not have faith in your school board, then of course you can oppose the bill easily, I should think.

Mr. VARNER. I have faith in them.

Mr. McCANN. Good.

Mr. VARNER. I have faith. Thank you, Mr. Speaker. I

would like to remind whoever it might be necessary to remind that it now is about 7:12 daylight saving time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, we have agreed that we would try to work 'til 7:30 and we are trying to clear off the Senate bills, so the gentleman knows.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—199

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irvls,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cloffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobal,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varner,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Kelser,	O'Donnell, J. P.,	Weidner,
Donahue,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neil,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Ellberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korns,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, P. E.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Light,	Pursley,	Yatron,
Flynn,	Limper,	Reibman,	Yetter,
Foerster,	Lippincott,	Reidenbach,	Zimmerman,
Fox,	Lopresti,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

#### NAYS—0

#### NOT VOTING—9

Cooper,	Lulgard,	Moran,	Snare,
Donaldson,	Miller, H. G.,	Sakulsky,	Sullivan,
			Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.



## BILL PASSED OVER.

There being no objection

Senate Bill No. 699, Printer's No. 1311  
was passed over at the request of the SPEAKER pro tem-  
pore.

Agreeably to order,

The House proceeded to the third reading and con-  
sideration of Senate Bill No. 815, entitled:

An Act amending the act of April 14, 1927 (P. L. 297) entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof \* \* \* clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927 (P. L. 297) as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobal,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varner,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Keiser,	O'Donnell, J. P.	Weidner,
Donahue,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neil,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Ellberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korns,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, P. E.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Light,	Pursley,	Yatron,

Flynn,  
Foerster,  
Fox,  
Frank,

Limper,  
Lippincott,  
Lopresti,  
Lutty,

Reibman,  
Reidenbach,  
Renwick,  
Rigby,

Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—9

Cooper,  
Donaldson,

Lulgard,  
Miller, H. G.,

Moran,  
Sakulsky,

Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and con-  
sideration of Senate Bill No. 831, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the determination of tuition charges for pupils of other districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—199

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schaaf,
Barton,	George,	McLaughlin,	Schuster,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobal,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varner,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Keiser,	O'Donnell, J. P.	Weidner,
Donahue,	Kernaghan,	Odorisio,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neil,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Ellberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korns,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, P. E.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Worley,
Fineman,	Leonard,	Price,	Wynd,
Floyd,	Light,	Pursley,	Yatron,

## NAYS—0

## NOT VOTING—9

Cooper, Donaldson,	Luigard, Miller, H. G.,	Moran, Sakulsky,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 832, Printer's No. 1047.

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 857, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" providing for an assistant borough secretary.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, in reading this bill, they create the office of an assistant borough secretary and also provide that a member of council may hold that post.

I question the advisability of permitting a member of council to hold an office, a post of this kind, with the borough while he is at the same time serving as a member of borough council.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—146

Anderson,	Fox,	McCann,	Riley,
Arlene,	Frank,	McDonald,	Royer,
Auker,	Frascella,	McInroy,	Rudisill,
Balthaser,	Fulmer,	McKeever,	Scarcelli,
Blair,	Galley,	McLaughlin,	Schaaf,
Boles,	Gallagher,	Machmer,	Schuster,
Boris,	Garlock,	Magee,	Schwartz,
Bower,	Gelfand,	Meholchick,	Seltzer,
Bowman,	Goodrich,	Mihm,	Sherman,
Branca,	Gramlich,	Monroe,	Shupnik,
Brenninger,	Guthrie,	Muldowney,	Silverman,
Breth,	Hamilton,	Mullen,	Snider,
Brown,	Heavey,	Munley,	Stank,
Buchanan,	Heffner,	Murphy, A. J., Jr.,	Stevens,
Capano,	Helm,	Murphy, P. J.,	Stone,
Capitolo,	Henzel,	Murray, H. P.	Stoner,
Cianfrani,	Holt,	Murray, P. G.,	Strausser,
Cioffi,	Irvia,	Naugle,	Stroup,
Clarke,	Jenkins,	Needham,	Taylor,
Comer,	Johnson, A. W.,	Nelson,	Trusio,
Crossin,	Johnson, R.,	O'Dell,	Ujober,
Davis,	Jones, F. R.,	O'Donnell, J. A.,	Varallo,
Dennis,	Jump,	O'Donnell, J. P.,	Varner,
Dennison,	Kamyk,	Ogilvie,	Verona,
Devlin,	Kee,	O'Neill,	Walsh,
Donahue,	Kessler,	Parlante,	Wargo,
Dougherty,	Knecht,	Pashley,	Weldner,
Elberg,	Kornick,	Perry, H. H.,	Welsh,
Eshback,	Korns,	Perry, P. E.,	Wescott,
Eshleman,	Kovolenko,	Petrosky,	Wheeler,
Ewing,	Kubitsky,	Polaski,	Williams, A. D. Jr.
Fetterolf,	Lee, A. M.,	Polen,	Williams, E. S.,

Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,

Lee, K. B.,  
Leonard,  
Limper,  
Lippincott,  
Lutty,

Prendergast,  
Reibman,  
Reidenbach,  
Renwick,

Willaredt,  
Wynd,  
Yatron,  
Yetter,

## NAYS—53

Agnew,  
Ashton,  
Barton,  
Bell,  
Bonner,  
Burns,  
Curwood,  
Dengler,  
Down,  
Edwards,  
Farabaugh,  
George,  
Gibb,  
Goldstein,

Hocker,  
Holliday,  
Horst,  
Isaacs,  
Jim,  
Jones, T. H. W.,  
Kelser,  
Kernaghan,  
Kooker,  
Lamb,  
Light,  
Lopresti,  
McCandless,  
McCormack,

Mahan,  
Markley,  
Maxwell,  
Merry,  
Miller, B. Z.,  
Mills,  
Murray, J. J.,  
Musto,  
Odorisio,  
Price,  
Pursley,  
Rigby,  
Rovasek,

Steckel,  
Stewart,  
Stimmel,  
Tompkins,  
Wall,  
Whittaker,  
Willard,  
Wilt,  
Wood,  
Worley,  
Zimmerman,  
Andrews,  
Speaker

## NOT VOTING—9

Cooper,  
Donaldson,

Luigard,  
Miller, H. G.,

Moran,  
Sakulsky,

Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER pro tempore. The Chair, before turning the gavel back to the Speaker, wishes to thank all the Members for their very kind attention and fine discipline during the consideration of the county salary bills. It was a long afternoon and the Chair believes that the Members, as well as our guests, were very, very attentive.

The Chair returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Armstrong. I might add that he is improving as a disciplinarian every day.

## SENATE MESSAGE

## AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

## SENATE BILL No. 328.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" extending the jurisdiction of borough policemen to include property outside the borough owned or controlled by the borough.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on a final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by inserting after the word "borough" the following: "whether such property is within or outside the limits of the borough."



On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Agnew,	Frascella,	McCann,	Riley,
Anderson,	Fulmer,	McCormack,	Rovansek,
Arlene,	Galley,	McDonald,	Royer,
Ashton,	Gallagher,	McInroy,	Rudisill,
Auker,	Garlock,	McKeever,	Scarcelli,
Balthaser,	George,	McLaughlin,	Schaaf,
Barton,	Gibb,	Machmer,	Schuster,
Bell,	Goldstein,	Magee,	Schwartz,
Blair,	Goodrich,	Mahan,	Seltzer,
Boles,	Gramlich,	Markley,	Shupnik,
Bonner,	Guthrie,	Maxwell,	Silverman,
Boris,	Hamilton,	Snider,	Stank,
Bower,	Meholchick,	Stank,	Steckel,
Bowman,	Heavey,	Mihm,	Stevens,
Branca,	Heffner,	Miller, B. Z.,	Stewart,
Brenninger,	Helm,	Mills,	Stimmel,
Breth,	Henzel,	Monroe,	Stone,
Brown,	Hocker,	Muldowney,	Stoner,
Buchanan,	Holliday,	Mullen,	Strausser,
Burns,	Holt,	Munley,	Stroup,
Capano,	Horst,	Murphy, A. J., Jr.,	Taylor,
Capitolo,	Irvis,	Murphy, P. J.,	Tompkins,
Cianfrani,	Isaacs,	Murray, H. P.,	Trusio,
Cioffi,	Jenkins,	Murray, J. J.,	Ujobal,
Clarke,	Jim,	Murray, P. G.,	Varallo,
Comer,	Johnson, A. W.,	Musto,	Verona,
Crossin,	Johnson, R.,	Naugle,	Wall,
Curwood,	Jones, F. R.,	Needham,	Walsh,
Davis,	Jones, T. H. W.,	Nelson,	Wargo,
Dengler,	Jump,	O'Dell,	Weldner,
Dennis,	Kamyk,	O'Donnell, J. A.,	Welsh,
Devlin,	Kee,	O'Donnell, J. P.,	Wescott,
Donahue,	Kelser,	Odoriso,	Wheeler,
Donaldson,	Kernaghan,	Ogilvie,	Whittaker,
Dougherty,	Kessler,	O'Neil,	Williams, A. D., Jr.,
Down,	Knecht,	Parlante,	Williams, E. S.,
Edwards,	Kooker,	Pashley,	Willard,
Ellberg,	Kornick,	Perry, H. H.,	Willaredt,
Eshback,	Korns,	Perry, P. E.,	Wilt,
Eshleman,	Kovolenko,	Petrosky,	Wood,
Ewing,	Kubitsky,	Polaski,	Worley,
Farabaugh,	Lamb,	Polen,	Wynd,
Fetterolf,	Lee, A. M.,	Prendergast,	Yatron,
Filo,	Lee, K. B.,	Price,	Yetter,
Fineman,	Leonard,	Pursley,	Zimmerman,
Floyd,	Light,	Reibman,	Andrews,
Flynn,	Limper,	Reidenbach,	Speaker
Foerster,	Lippincott,	Renwick,	
Fox,	Lopresti,	Rigby,	
Frank,	Lutty,		
	McCandless,		

## NAYS—2

Gelfand, Sherman,

## NOT VOTING—9

Cooper,	Lulgard,	Moran,	Snare,
Dennison,	Miller, H. G.,	Sakulsky,	Sullivan,
			Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2100 on page 25 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—198

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovansek,
Arlene,	Galley,	McCormack,	Royer,
Ashton,	Gallagher,	McDonald,	Rudisill,
Auker,	Garlock,	McInroy,	Scarcelli,
Balthaser,	Gelfand,	McKeever,	Schuster,
Barton,	George,	McLaughlin,	Schwartz,
Bell,	Gibb,	Machmer,	Schwartz,
Blair,	Goldstein,	Magee,	Seltzer,
Boles,	Goodrich,	Mahan,	Sherman,
Bonner,	Gramlich,	Markley,	Shupnik,
Boris,	Guthrie,	Maxwell,	Silverman,
Bower,	Hamilton,	Meholchick,	Snider,
Bowman,	Heavey,	Merry,	Stank,
Branca,	Heffner,	Mihm,	Steckel,
Brenninger,	Helm,	Miller, B. Z.,	Stevens,
Breth,	Henzel,	Mills,	Stewart,
Brown,	Hocker,	Monroe,	Stimmel,
Buchanan,	Holliday,	Muldowney,	Stone,
Burns,	Holt,	Mullen,	Stoner,
Capano,	Horst,	Munley,	Strausser,
Capitolo,	Irvis,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Isaacs,	Murphy, P. J.,	Taylor,
Cioffi,	Jenkins,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Johnson, A. W.,	Murray, P. G.,	Ujobal,
Crossin,	Johnson, R.,	Musto,	Varallo,
Curwood,	Jones, F. R.,	Naugle,	Varner,
Davis,	Jones, T. H. W.,	Needham,	Verona,
Dengler,	Jump,	Nelson,	Wall,
Dennis,	Kamyk,	O'Dell,	Walsh,
Dennison,	Kee,	O'Donnell, J. A.,	Wargo,
Devlin,	Kelser,	O'Donnell, J. P.,	Weldner,
Donahue,	Kernaghan,	Odoriso,	Welsh,
Dougherty,	Kessler,	Ogilvie,	Wescott,
Down,	Knecht,	O'Neil,	Wheeler,
Edwards,	Kooker,	Parlante,	Whittaker,
Ellberg,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshback,	Korns,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kovolenko,	Perry, H. H.,	Willard,
Ewing,	Kubitsky,	Petrosky,	Willaredt,
Farabaugh,	Lamb,	Polaski,	Wilt,
Fetterolf,	Lee, A. M.,	Polen,	Wood,
Filo,	Lee, K. B.,	Prendergast,	Wynd,
Fineman,	Leonard,	Price,	Yatron,
Floyd,	Light,	Pursley,	Yetter,
Flynn,	Limper,	Reibman,	Zimmerman,
Foerster,	Lippincott,	Reidenbach,	Andrews,
Fox,	Lopresti,	Renwick,	Speaker
Frank,	Lutty,	Rigby,	

## NAYS—1

Worley,

## NOT VOTING—9

Cooper,	Lulgard,	Moran,	Snare,
Donaldson,	Miller, H. G.,	Sakulsky,	Sullivan,
			Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2101, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations" etc. by including certain persons or corporations using or furnishing for use dump trucks for the transportation of excavated or road construction materials within the definition of "common carrier by motor vehicle" or of "contract carrier by motor vehicle"

On the question,

Will the House agree to the bill on third reading?

### BILL RECOMMITTED

Mr. GALLAGHER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities and Corporations.

The motion was agreed to.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 56, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. LIPPINCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 791, entitled:

An Act amending the act of July 3, 1947 (P. L. 1242) entitled "An act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits" authorizing additional appropriations by cities to police and firemen's pension funds.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 792, entitled:

An Act reenacting and amending the act of August 17, 1951 (P. L. 1254) entitled "An act fixing the minimum pensions of policemen and firemen in certain cities" taking advantage of amendment to section 11 of Article III of the Constitution and increasing the minimum amount.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

### BILL ON FINAL PASSAGE POSTPONED

#### TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1365, Printer's No. 514, on page 16 of today's calendar, bills on final passage postponed.

### BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1794 on page 21 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1794, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), requiring plastic bags to be marked with a warning label.

On the question,

Will the House agree to the bill on third reading?

Mr. YATRON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "label," "and prescribing penalties."

Amend Sec. 1 (Sec. 699.10), page 2, lines 1 to 5, by striking out "Whosoever shall use" in line 1, all of lines 2 to 5, and inserting:

"(a) No person shall sell or offer to sell or give away any plastic bag, the length and width of which when added together totals twenty-five inches or more and which is one mil or less in thickness, nor shall any person deliver at retail such bag as a cover or container for any product or substance unless such bag bears a warning statement in the following or substantially equivalent wording:"

"Warning—To avoid danger of suffocation, keep away from babies and children. Do not use in cribs, beds, carriages or play pens. This bag is not a toy."

"(b) Such warning statement shall be imprinted in a prominent place on the plastic bag or shall appear on a label securely attached to the bag in a prominent place, and shall be printed in English in legible type which shall be contrasted by topography, layout or color from the contents of the bag and from other printed matter on the bag, if any. The size of the print of such statement shall be as follows:"

Total length and width of bag	Size of Print
60 inches or more .....	24 point
40-59 inches .....	18 point
30-39 inches .....	14 point
25-30 inches .....	10 point

Amend Sec. 1 (Sec. 699.10), page 2, line 6, by inserting before "Any," "(c)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.



Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2139 on page 25 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2139, entitled:

An Act regulating and prescribing the working hours of police officers employed by any county city except cities of the second class and Philadelphia borough town or township having a regular police force of twenty or more police officers.

On the question,

Will the House agree to the bill on third reading?

Mr. POLASKI asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "Regulating and prescribing the" and inserting, "Authorizing certain regulation of."

Amend Sec. 1, page 1, line 1, by striking out "In any" and inserting, "Any."

Amend Sec. 1, page, 1 line 3, by inserting after "officers," "may provide by ordinance that."

Amend Sec. 1, page 2, line 3, by striking out "this section" and inserting, "such ordinance."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS PASSED OVER

All remaing bills on today's calendar that were not acted upon were passed over at the request of Mr. McCANN.

### BILLS INTRODUCED AND REFERRED

By Mr. SCARCELLI HOUSE BILL No. 2340.

An Act providing for the selling of liquid fuels and the locating of service stations on the premises of food markets in cities of the first class and providing penalties.

Referred to the Committee on Cities—Counties iFirst Class.

By Messrs. K. B. LEE, E. S. WILLIAMS, CURWOOD and NEEDHAM HOUSE BILL No. 2341.

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children or disabled persons.

Referred to the Committee on Fisheries.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. HORST RESOLUTION (Not Printed).

Mr. Charles D. Minehart, a former member of the House of Representatives, passed away Sunday, August 23, 1959, at the age of ninety.

A lifelong resident of Orrstown, In Franklin County, Mr. Minehart had been chairman of the Franklin County Democratic Committee since 1954. Mr. Minehart has been referred to as "the man who put fighting spirit into the Democratic party in Franklin County," as it was his inspired leadership which advanced the party in that county to its present high point.

Prior to his retirement in 1954, Mr. Minehart was for many years engaged in the grain and lumber business. He served as president of the Centennial Mutual Fire Insurance Company and was vice-president of the Orrstown Bank, and was a member of numerous civic and fraternal organizations. In addition to his business interests, however, he was always interested in politics and in 1923 he was elected for a two-year term as Franklin County's representative in the General Assembly.

The death of Charles D. Minehart is indeed a great loss to Franklin County; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby pays tribute to Mr. Minehart for his outstanding contributions to his community and extends its sympathy to his survivors upon his death; and be it further

Resolved, That copies of this resolution be transmitted to his daughter, Mrs. Ralph Rangle, Royal Oak, Michigan, and to his son, John B. Minehart, Chambersburg, R. D. 1, Pennsylvania.

Referred to the Committee on Rules.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 193.

An Act amending the act of May 5, 1927 (P. L. 787) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" changing a route and adding a new route in Delaware County.

Referred to the Committee on Highways.

SENATE BILL No. 543.

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law authorizing the investigation thereof and prescribing the procedure therefor.

Rferred to the Committee on Judiciary.

SENATE BILL No. 790.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the marketing and counting of ballots.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 812.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the payments by the Commonwealth on account of courses for handicapped children.

Referred to the Committee on Education.

SENATE BILL No. 816.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" modifying the requirements of notice of stockholders' meetings to consider increasing or decreasing the capital stock.

Referred to the Committee on Insurance.

## SENATE BILL No. 901.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" further regulating increase of capital stock by stock insurance companies.

Referred to the Committee on Insurance.

## SENATE BILL No. 902.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company.

Referred to the Committee on Insurance.

## SENATE BILL No. 998.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the closing of courthouses and other county offices on Saturdays.

Referred to the Committee on Counties.

## SENATE BILL No. 1000.

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

Referred to the Committee on Ways and Means.

## SENATE BILL No. 1035.

An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled as amended "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to municipality authorities.

Referred to the Committee on Municipal Corporations.

## ANNOUNCEMENT

The SPEAKER. For what purpose does the Majority Leader rise?

Mr. McCANN. Before the adjournment notice is given, Mr. Speaker, we will have a full, heavy working schedule day tomorrow in this House, in which many bills, both controversial and non-controversial will be discussed and voted on. I ask every Member to stay here tomorrow for a full working day Session.

## COMMITTEE MEETING

APPROPRIATIONS, Mr. Polen, Chairman, Room 245-246, Wednesday, August 26 at 9:00 a. m. DST.

## ADJOURNMENT

Mr. DENGLER. Mr. Speaker, I move that this House do now adjourn until Wednesday, August 26, 1959 at 9:00 a. m. EST.

The motion was agreed to, and (at 6:42 p. m. EST, the House adjourned.





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Session 1959.

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HARRISBURG, PA., WEDNESDAY, AUGUST 26, 1959.

No. 85.

## SENATE

WEDNESDAY, AUGUST 26, 1959.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

The earth is the Lord's and the fullness thereof; the world and they that dwell therein.

We pray Thee, O Father, that Thou wilt always keep us mindful of Thy greatness. We pray that we may have the humility, faith and trust in Thee to guide us in the work which has been assigned to us here in these Halls, in our homes and in our communities.

We pray that we may always realize Thy greatness and, yet, in Thy greatness, Thou hast not forgotten us as individuals, but wilt always answer every prayer that comes from the heart. We pray that Thou wilt guide us to do the things which may not always benefit us directly, but will be for Thy glory, for the safety and the betterment of the world and for the completion of Thy Kingdom.

We pray that in our lives, Thy will may always be done. We ask it in Thy Holy Name. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. WALKER, further reading was dispensed with, and the Journal was approved.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, Pa. August 26, 1959.

To the Honorable, the Members of the Senate of the Commonwealth of Pennsylvania:

Once again, I am taking the opportunity to report to the members of the Senate on the financial condition of the Commonwealth, to make certain that you and the public are fully informed.

My past messages, you will recall, were submitted to both houses of the General Assembly.

This time, however, I am communicating only with the Senate because the House has already completed the major portion of its responsibility in meeting the Commonwealth's financial needs.

The House has sent to the Senate sufficient revenue measures to finance the Governor's General Fund Budget and to pay off the accumulative deficit.

Except for continuing existing taxes, the Senate, up to this time, has voted only to expand the coverage and increase the rate of the Sales Tax, which is a consumer tax. It is assumed that the Senate will pass the companion hotel occupancy tax, also a consumer tax.

You have before you House Bill 660, passed by the House of Representatives, which extends the 14 mill gross receipts tax, now paid by other public utility companies, to gas companies. This is a business tax.

You have before you House Bills 661 and 662, already approved by the House, which increase the tax rate on bank shares from four to eight mills. This is obviously a business tax.

Finally, you have before you for consideration House Bill 656, approved by the House, which levies a six mill tax on intangible personal property, that is, a tax paid by the owner, against the value of stocks and bonds in non-Pennsylvania companies and on mortgages and other securities. This is a tax on a form of property largely owned by those best able to pay. Every county in Pennsylvania already levies a four mill tax on such intangible personal property, and House Bill 656 has been carefully drawn to preserve the rights of the counties and the other local governments who now employ the tax.

Together, the enactment of these taxes would bring a yield for the next biennium of \$73,200,000.

They would redress the balance in our tax policy, which has been so heavily shifted to the consumer since the adoption of the sales tax. They would complete a revenue structure sufficient to meet the appropriation bills now approved or pending on the House calendar.

A majority of House members have voted favorably upon an expanded and higher sales tax because they had no alternative. The recommendations of the Hood-Kennedy Committee, which this Administration strongly urged upon both houses, could not be enacted. Recognizing their public responsibility, a majority of House members accepted the four per cent sales tax, not because they considered it the best tax but because there was no other practical means of raising sufficient revenue necessary to operate the State Government.

A majority of the members of the Senate made the same decision with hesitancy but with full realization of the responsibility which rests upon them.

As Governor, I approve the higher rate and broader coverage with what I hope was the same sense of responsibility. I could do so because it is my first duty to operate the services of the State Government, and because I knew that the revised sales tax schedules, burdensome as they may be, still do not tax—as in many other states—such essentials of life as take-home food and clothing.

The continued exemptions in the tax are the compensation for its higher rate.

Consequently, I have determined that I will not approve



an extension of the sales tax to clothing or to take-home food and that I will look very suspiciously at any other proposal to extend the sales tax.

I most strongly urge the members of the Senate to make all such proposals superfluous by the prompt enactment of the tax measures already passed by the House. If that is done, the State's budget will be in honest balance, with no fudging of revenue estimates and no short-changing of appropriations.

The most important element in the taxes still before you is the tax on intangible personal property. It has the greatest yield and appears to be in the greatest controversy.

I ask the members of the Senate who may have philosophical objections to this tax on wealth to waive them, as so many of us were asked to waive our basic objections to taxes on consumers. To suggest that the tax is an income tax is very far from the fact. It is an ad valorem tax—just as the local real estate taxes are—and it is so recognized by all experts on taxation.

We all know that taxes are not levied simply to take other people's money. They are required to pay for services, vital services, which the State performs and to assist local communities, school districts, and hundreds of hospitals and other private institutions which are essential to our everyday living.

By next week, the House will have sent bills to the Senate covering all the budgeted appropriations, totaling \$1,722,928,428. Non-budgeted items totaling \$575,534 already have been enacted. Adding the deficit of \$141,598, 685, which must be paid off, brings the total requirements to \$1,865,102,647 for the next biennium.

I might add that the House Appropriations Committee made a net reduction in the Governor's budget of \$6,405,052, which was achieved by cutting out \$20,611,780 in requests and making additions of \$14,206,728.

It is important to emphasize continually that less than nine per cent of the total State budget will finance operations of the various departments and agencies of the Commonwealth. Another 15 per cent will be spent to operate various State institutions—State owned hospitals and sanatoria, penal and correctional facilities, and State Teachers Colleges.

Of the remaining 76 per cent, practically all will be paid out in the form of grants and subsidies in one form or another.

These are the facts which tend to straight-jacket any governor or any legislature.

I have tried to present an honest budget to the General Assembly and I have recommended tax measures to pay for the appropriations fully.

I hope I have made it perfectly clear that I will not puff up revenue estimates in order to achieve a fictitiously-balanced budget. It would be equally foolhardy for the Legislature to reduce arbitrarily appropriations for mandated items which will lead to sure deficiencies later in the biennium.

It is precisely this kind of sleight of hand budgeting which has led us to our present financial dilemma. Pennsylvania has spent more money than it has collected in revenues in all but one of the seven diennia since 1945.

I am sure no one wants to compound these disastrous mistakes.

The appropriation bills which the Senate will consider have been searchingly reviewed by the House Appropriations Committee. The reductions that group has developed have been accepted by this Administration.

Even so, they exceed revenue measures enacted as of this time by \$59,760,293.

I have said repeatedly that the Assembly has the right and the obligation to scrutinize requested expenditures and to make reductions wherever the facts and conditions will sustain such action. But if reductions are to be made, the public has the right to know where they are and how deep they are. This is not an operation which legitimately can be accomplished in the last hours of the session. It requires and demands full discussion and full disclosure.

Since the beginning of the session, I have stressed repeatedly that the budget as finally approved by the

Governor must be an honest budget. That means that if appropriations exceed realistic estimates of revenue, I will have no choice but to veto appropriations to the extent necessary to bring the budget into balance. This is my constitutional and moral obligation, and I intend to meet it.

While the direct action would be mine, there could be no doubt as to the real responsibility for such unfortunate and unwanted course of action.

It seems clear, however, that this need not, and should not, be the climax to this session.

There is no good reason why sufficient revenues cannot be provided to satisfy fully the established needs of the State Government. This, it seems to me, is the obligation which the citizens of Pennsylvania have a right to expect from us all.

The alternative can only be a continuing financial mess or drastically curtailed services, or both.

Therefore, I once again urge you to set aside partisan and philosophical differences, as we have in the past, and finish the job for the General Fund operations of the State.

This can only be done, in my judgement, by prompt affirmative action on the tax bills which have been passed by the House.

I should add, also, that I hope the Senate will act favorably on the highway revenue measures. Upon your decision will depend the course of highway construction and maintenance in Pennsylvania for many years to come. Scheduled construction of such major projects as the Keystone Shortway, the Anthracite Expressway, the Erie-West Virginia Freeway, and the Delaware Expressway, will be affected as will work on other Federally-aided projects and on the 100 per cent State roads, which have not been receiving their full share of attention.

We can't build highways with promises. Unless sufficient funds are provided, the people of Pennsylvania must be on notice that the highway building program will be drastically curtailed.

No one knows better than the members of the Senate the importance of highways to their individual districts. No one is more fully aware of the intense interest of the people of Pennsylvania in an improved highway system. Certainly, this knowledge should make clear the action which must be taken to provide the money to build the roads.

The decision is yours.

I cannot believe that in this instance and in regard to the General Fund it will be anything less than the right decision, which means providing the revenues sufficient to carry out the State's responsibilities and to encourage the further growth and development of the Commonwealth and of its citizens.

DAVID L. LAWRENCE

The PRESIDENT. Copies of the Governor's message have been placed on the desks of all of the Senators.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILL No. 175

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 175, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the purchase of public liability insurance.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 474

He also returned to the Senate, Senate Bill No. 474, entitled:

An Act amending the act of June 25, 1947 (P. L. 973), entitled "An act relating to the annual salaries of certain



county officers of counties of the third class," increasing the salaries of certain county officers.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 475

He also returned to the Senate, Senate Bill No. 475, entitled:

An Act amending the act of June 25, 1947 (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class," increasing the salaries of certain county officers.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 476

He also returned to the Senate, Senate Bill No. 476, entitled:

An Act amending the act of June 25, 1947 (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class," increasing the salaries of certain county officers.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 480

He also returned to the Senate, Senate Bill No. 480, entitled:

An Act amending the act of May 6, 1874, (P. L. 125), entitled "An act regulating state tax on certain county offices," increasing the maximum amount of fees that certain offices may retain.

#### HOUSE CONCURS IN SENATE BILL No. 481

He also returned to the Senate, Senate Bill No. 481, entitled:

An Act amending the act of July 29, 1953 (P. L. 981), entitled "An act fixing the fees and mileage of the coroner in counties of the third class," increasing certain fees.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS in SENATE BILL No. 482

He also returned to the Senate, Senate Bill No. 482, entitled:

An Act amending the act of January 7, 1952 (P. L. 1844) entitled as amended, "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes," increasing certain fees.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 483

He also returned to the Senate, Senate Bill No. 483, entitled:

An Act amending the act of May 13, 1949 (P. L. 1428), entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class," increasing certain fees.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 484

He also returned to the Senate, Senate Bill No. 484, entitled:

An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 587

He also returned to the Senate, Senate Bill No. 587, entitled:

An Act amending the act of February 9, 1901 (P. L. 6), entitled "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers," providing that the classes of directors or managers of such companies shall be as nearly equal in number as possible.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 685

He also returned to the Senate, Senate Bill No. 685, entitled:

An Act repealing section 802 of the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," relating to the use of textbooks for a period of not less than five years.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 815

He also returned to the Senate, Senate Bill No. 815, entitled:

An Act amending the act of April 14, 1927 (P. L. 297), entitled "An act authorizing any natural gas company, or any manufactured gas company, incorporate under the laws of this Commonwealth, to sell, assign, dispose of, convey or lease to any natural gas company, or to any manufactured gas company, incorporated under the laws of this Commonwealth, its franchises and property or any part thereof; \* \* \*" clarifying provisions governing the power to transfer corporate franchises, municipal consents and corporate property, real, personal or mixed, changing provisions related to the manner in which such transfers shall be consummated, eliminating the requirement of certificates evidencing payment of taxes, changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927 (P. L. 297) as amended.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 831

He also returned to the Senate, Senate Bill No. 831, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the determination of tuition charges for pupils of other districts.

with the information that the House has passed the same without amendments.



## HOUSE CONCURS IN SENATE BILL No. 857

He also returned to the Senate, Senate Bill No. 857, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing for an assistant borough secretary.

with the information that the House has passed the same without amendments.

## SENATE BILL No. 477 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," increasing and fixing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

## SENATE BILL No. 478 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class," increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

## SENATE BILL No. 479 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the annual salaries of certain county officers in counties of the eighth class.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

## SENATE BILL No. 553 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

## HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 328, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 328, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," extending the jurisdiction of borough policemen to include property outside the borough owned or controlled by the borough.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

## HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 389, entitled:

An Act amending the "Veterans Preference Act of 1957," approved July 8, 1957 (P. L. 557), excepting second class county employes from provisions relating to option retirement contribution rights.

Which was committed to the Committee on Local Government.

House Bill No. 496, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the reimbursement payments on account of instruction in certain cases.

Which was committed to the Committee on Education.

House Bill No. 556, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," amend 1939 (P. L. 566) providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

Which was committed to the Committee on Labor and Industry.

House Bill No. 557, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to the spouse or certain dependents of deceased employes dying prior to receiving payment of total benefits in certain cases.

Which was committed to the Committee on Labor and Industry.

House Bill No. 607, entitled:

An Act authorizing the Governor, under certain conditions to transfer certain funds to the Special Disaster Relief Fund to meet extreme emergencies, and making appropriations necessary to effect such transfer.

Which was committed to the Committee on State Government.

## House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of costs and expenses incurred in the work of the Authority.

Which was committed to the Committee on Appropriations.

## House Bill No. 2100, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), changing certain provisions relating to returns, assessments and basis of such assessments; imposing liabilities and duties on vendors and certain purchasers involved in bulk sales transactions; \* \* \*

Which was committed to the Committee on Finance.

## House Bill No. 2326, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth; interest on the public debt and for public schools for two years beginning June 1, 1959, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959.

Which was committed to the Committee on Appropriations.

## BILLS INTRODUCED AND REFERRED

Mr. KESSLER read in his place and presented to the Chair Senate Bill No. 1116, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," re-defining real estate broker and salesman and deleting the provisions relating to limited licenses.

Which was committed to the Committee on Education.

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 1117, entitled:

An Act reenacting and amending section 810, act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

Which was committed to the Committee on Insurance.

Messrs. KALMAN and MULLIN (By Request) read in place and presented to the Chair Senate Bill No. 1118, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the employment of assistant supervising principals in certain third class school districts.

Which was committed to the Committee on Education.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

## MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Naomi WorriLOW England (Republican), Mt. Vernon Street, Oxford, Chester County, for appointment as a member of the Chester County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Louise Atherton Dickey, Oxford, deceased.

DAVID L. LAWRENCE.

## MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wyndham Reed Whitley (Republican) 807 Bancroft Road, Erie, Erie County, for appointment as a member of the Erie County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rabbi Randall M. Falk, Erie, whose term expired.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

August 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Devlin, 8301 Algon Avenue, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

SENATE CONCURRENT RESOLUTION  
ADJOURNMENT SINE DIE

Messrs. BERGER, WEINER and TAYLOR offered the following resolution (Serial No. 118), which was read, considered and agreed to:

In the Senate, August 26, 1959.

Resolved (the House of Representatives concurring), That this regular session of the General Assembly adjourn sine die on Monday, September 28, 1959 at 12:00 o'clock noon, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## SENATE RESOLUTION

## REFERRAL OF BILLS FOR REMAINDER OF SESSION

Messrs. BERGER, WEINER and TAYLOR offered the following resolution (Serial No. 56), which was read, considered and agreed to:

In the Senate, August 26, 1959.

Resolved, That for the remainder of this regular session all bills, except appropriations bills, be referred to the Committee on Rules.



# MR. AND MRS. ERNEST R. WALKER PRESENTED TO SENATE

Mr. WALKER. Mr. President, if I might interrupt the proceedings, I would like to state that we are honored this morning in having present with us, I believe, the newest member of the Senate family's addition, my son and daughter-in-law, Mr. and Mrs. Ernest R. Walker.

In would like the Chair to welcome them to the Senate. The PRESIDENT. Will you please stand up?

We are very happy to have you here with us.

## BILLS INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WEINER and EHRGOOD read in place and presented to the Chair Senate Bill No. 1119, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," excluding persons who observe the seventh day of the week as the Sabbath from prohibitions against sale of certain property on Sunday.

Which was committed to the Committee on Rules.

Mr. WEINER (By request) read in his place and presented to the Chair Senate Bill No. 1120, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," authorizing mortgage loans to be granted upon certain security situated within sixty miles of the boundary of this Commonwealth.

Which was committed to the Committee on Rules.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

### EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. WADE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

#### MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Naomi Worrihow England (Republican), Mt. Vernon Street, Oxford, Chester County, for appointment as a member of the Chester County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Louise Atherton Dickey, Oxford, deceased.

DAVID L. LAWRENCE.

#### MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Wyndham Reed Whitley (Republican) 807 Bancroft Road, Erie, Erie County, for appointment as a member of the Erie County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rabbl Randall M. Falk, Erie, whose term expired.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

August 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Devlin, 8301 Algon Avenue, Philadelphia, Philadelphia County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1961, and until her successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

A motion was made by Mr. Berger and Mr. Mahady, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel.
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 274, Printer's No. 1390, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that Senate Bill No. 36, Printer's No. 1244, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

### BILLS ON FINAL PASSAGE OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on final passage, go over in their order:

House Bill No. 1015, Printer's No. 893;  
Senate Bill No. 1032, Printer's No. 1216;  
Senate Bill No. 1033, Printer's No. 1217; and  
Senate Bill No. 1038, Printer's No. 1297

The PRESIDENT. Is there objection? The Chair hears none.

### THIRD READING CALENDAR BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 184, Printer's No. 895;  
Senate Bill No. 290, Printer's No. 314;  
House Bill No. 398, Printer's No. 1072;  
Senate Bill No. 573, Printer's No. 1292; and  
House Bill No. 598, Printer's No. 1385

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 609, entitled:

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs, tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid" by making this act apply to turtles, frogs and tadpoles changing creel limits and revising methods of taking.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 959, Printer's No. 1506; and  
Senate Bill No. 971, Printer's No. 1140.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 972, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "subdivider" and "developer".

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1037, Printer's No. 1224; and  
Senate Bill No. 1047, Printer's No. 1238.

The PRESIDENT. Is there objection? The Chair hears none.



### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1065, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1468, Printer's No. 922, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1645, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" further specifying the time for holding meetings of the Game Commission.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1885, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" deleting the limitation on indebtedness for the purpose of erecting a townhouse.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would just like to say that the reason I feel impelled to vote for this bill is because I learned the other day the definition of the word "townhouse." Therefore, I feel that I can vote on this measure, knowing full well what we are trying to do.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mallery,	Sarra,	Watkins,
Elliott,	McCreesh,	Scott,	Weiner,
Flack,	McGinnis,	Seyler,	Whalley,
Fleming,	McMenamin,	Shafer,	Wolfe,
Harney,			

## NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1999, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" further providing for the trapping of beaver.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2201, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" further regulating obscene exhibitions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2237, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying and revising the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## SECOND READING CALENDAR

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent



that the following bills, on second reading, go over in their order:

Senate Bill No. 10, Printer's No. 10;  
Senate Bill No. 75, Printer's No. 75;  
House Bill No. 142, Printer's No. 102;  
House Bill No. 204, Printer's No. 39; and  
House Bill No. 223, Printer's No. 1136.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 256, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" further designating magistrates aldermen or justices of the peace before whom informations charging summary offenses may be brought.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 297, entitled:

An Act repealing section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1323;  
Senate Bill No. 447, Printer's No. 481;  
Senate Bill No. 448, Printer's No. 1324;  
Senate Bill No. 449, Printer's No. 1325; and  
House Bill No. 467, Printer's No. 823.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 470, entitled:

An Act amending the act of April 18, 1929 (P. L. 609) entitled "An act providing for the location care and

maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps and for the compilation and preservation of records relating to such soldiers sailors marines and members of the enlisted nurse corps and their burial places by county commissioners at the expense of the counties and imposing certain duties upon persons firms corporations and municipalities owning and controlling cemeteries conferring certain duties on the Department of Military Affairs" authorizing the Italian American World War Veterans of the United States Incorporated to gather and file data concerning burial places of persons who have served in the military naval or other combative forces with the county commissioners or city commissioners in cities of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 471, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting imitating selling or offering to sell the labeled artificial flower of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 521, entitled:

An Act authorizing the use of certified mail in lieu of registered mail.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 578, Printer's No. 189, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing a rule of interpretation regarding the source of payment of inheritance tax.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, I would just like to say that Senate Bill No. 735 through Senate Bill No. 739 are the result of a two-year study made by the Joint State Government Commission in the areas of decedents' estate, wills and a number of other areas which are related to this subject. This is an opportunity for the Legislature to have a look at some of these problems that have been particularly troublesome and which the Supreme Court

and Superior Court have dealt with in recent years. Some of these have led to some rather inequitable results, due to the application of the present laws which exist.

I would appreciate it if the Members of the Senate would have an opportunity to really read these bills and consult with the other Members here. It might be that some of them may have had some experiences that the committee did not have the benefit of, and I think the Senate should have the benefit of their experiences or any details which may be of some help in administering the law a little better than it is and maybe correcting some grave errors or injustices which might result from the present changes.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order, inasmuch as we have not caucused on these bills:

Senate Bill No. 736, Printer's No. 817;

Senate Bill No. 737, Printer's No. 818;

Senate Bill No. 738, Printer's No. 819; and

Senate Bill No. 739, Printer's No. 820.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 747, Printer's No. 838;

Senate Bill No. 748, Printer's No. 839;

Senate Bill No. 749, Printer's No. 840;

Senate Bill No. 750, Printer's No. 1071;

Senate Bill No. 751, Printer's No. 1326, and

Senate Bill No. 754, Printer's No. 845.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 851, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" authorizing veterans to gain residences as electors at homes for disabled and indigent soldiers and sailors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 888, Printer's No. 677;

House Bill No. 889, Printer's No. 671;

Senate Bill No. 975, Printer's No. 1147;

Senate Bill No. 1001, Printer's No. 1190;

Senate Bill No. 1031, Printer's No. 1215;

Senate Bill No. 1036, Printer's No. 1223;

Senate Bill No. 1049, Printer's No. 1328; and

Senate Bill No. 1055, Printer's No. 1253.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1060, entitled:

An Act amending the act of May 10, 1951 (P. L. 279) entitled "An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto" changing and clarifying provisions relating to fees procedures and enforcement permitting intrastate use of the act providing for the registration and enforcement of foreign support orders conferring powers and imposing duties upon the Governor the Secretary and Department of Public Welfare district attorneys courts and clerks of courts and making editorial changes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1062, Printer's No. 1329; and

Senate Bill No. 1064, Printer's No. 1262.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1066, entitled:

An Act authorizing an interstate compact concerning detainers and for related purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1078, Printer's No. 1278; and

Senate Bill No. 1084, Printer's No. 1284.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1089, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" exempting blind veterans from the payment of certain fees in connection with motor vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1093, Printer's No. 1298;  
Senate Bill No. 1094, Printer's No. 1299;  
Senate Bill No. 1095, Printer's No. 1300;  
Senate Bill No. 1096, Printer's No. 1301;  
House Bill No. 1143, Printer's No. 492;  
House Bill No. 1144, Printer's No. 463; and  
House Bill No. 1145, Printer's No. 464.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1177, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law and changing the time within which such notification must be given.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1179, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" including the Pennsylvania Air National Guard with the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1297, Printer's No. 1507;  
House Bill No. 1430, Printer's No. 1251; and  
House Bill No. 1472, Printer's No. 640.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1483, entitled:

An Act amending the act of August 9, 1955 (P. L. 328) entitled "The County Code" authorizing appropriations to posts of the Society of the Twenty-eighth Division AEF Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1528, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1544, Printer's No. 874, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1566, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction of control of decedent's burial on the orphans' court and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1577, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicles by dealers in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1620, Printer's No. 936, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1892, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers \* \* \*" giving the court jurisdiction in the trial of indictments for arson and burglary.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1903, entitled:

An Act to prohibit discrimination in employment by the Commonwealth its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1992, Printer's No. 1509;

House Bill No. 2031, Printer's No. 1283;

House Bill No. 2049, Printer's No. 1262; and

House Bill No. 2162, Printer's No. 1067.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged \* \* \*" changing and clarifying certain preference provisions and adding definitions.

And said bill having been read at length the first time and agreed to,

Ordered, To be transcribed for a second reading.

### PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, there has been placed on the Member's desks two rather important documents. If you do not think they are important, I think one of them certainly merits your careful consideration. I speak now of that single piece of paper that has been placed on your desks, in mimeographed form, showing the amount of money which has been enacted into taxes, the amount of our budget and the amount of money that remains to be raised in order to fulfill the needs of the Commonwealth and of the Governor's Budget.

I believe that many, many Members of this Body have introduced bills in this Session which go beyond the Governor's Budget, as far as giving money to institutions that might be in their particular district, or giving

money to worthy and needful causes that might exist in your areas, or they might even be State-wide. After enacting the only two taxes that apparently seem to have any kind of support in this area, which was the three and one-half per cent sales tax and then raising that to four per cent, we have now placed upon the consumer, I think, a rather heavy burden. I do not think it is out of order that we ask that other people in the community also bear their fair share. I think the three tax bills which we had on the Calendar this week, which were returned to committee and which I have been assured will be back from committee early next week, are business taxes as such, the gas tax and bank taxes.

The gas tax, I am afraid, might find its way back to the consumer because the companies will go in and ask for an increase from the Public Utility Commission, because their earning power will go down below the legal rate allowed them. Therefore, there remains now a tax which is in committee and which will not meet the full need, but at least would begin to address itself to the problem that now faces us. We are \$59,760,000 below what we need. There is a bill, which is House Bill No. 656, the personal property tax, which would raise, by the estimates, \$55,000,000, which would help, at least partially, to alleviate this amount of money. The House, as I understand, is working on the appropriation bills, which should be over here next week, if not before this day is out.

I am sure that everyone of us here will have some particular problem where we will ask to increase some of these sums. I believe if we do nothing else other than just look at the universities which come before us for help, we will have to do a yeoman's job on their behalf, because if we just continue a holding action with the universities, that is all that we will have in the way of education in this State. None of us is in favor of that and none of us wants to support that type of position. We want our universities to go forward and to move ahead.

The Veterinary School at the University of Pennsylvania, which is one of the few such schools in the East, is badly in need of additional funds and I, for one, would like to see them get that additional money. They will not even get what the Governor had originally promised them if we do not enact the necessary revenue to do the job.

Is there some compelling reason not to enact the personal property tax? This is basically an ad valorem tax and not an income tax, as such, and which falls heavily upon the people who are best able to pay it, those who can invest money in stocks and bonds. I also want to direct your attention to the fact that the bill does not levy this tax on domestic corporations, but only on those corporations that are outside of the Commonwealth. I think that you can quickly see that we are not hitting at people who are not able to pay this tax, particularly poor people. These are people who have additional funds and money that they have invested in stocks and bonds and, I think, that this millage that they are being asked to pay is rather small because there is not one county in this Commonwealth today which does not have at least a four mill tax on personal property.

I believe that many of us here were extremely reluctant—and I for one, speaking for myself, have been



very reluctant and on behalf of many of the Democratic Members on this side to vote for this sales tax because we feel that it is not an equitable tax and it hits the same people again and again and again.

The Governor's Message is also before you this morning, bringing this problem to you. Because the House has raised its revenues and has sent us the necessary bills to do the job, it is up to us to pass them. There are many things that we could do to focus attention on this problem, but I do not think this is an area for politics. I think this is an area for statesmanship. This is an area for the people who have the Commonwealth and its institutions at heart, who will do the right thing and who will look over these measures, and if they do not want to enact them, they will give us the compelling reasons for not doing so. I do not think we can leave here—and the time is growing very short—without saying to these people that we have done the best job we can for you to try to get you the most money we could to help you in the ensuing two years.

I particularly asked the Chairman of the Finance Committee, Senator Kessler, if he would not take these bills up during the days intervening when this Body adjourns so that the committee would have the opportunity of discussing them and coming up with some conclusions about them. If there is any compelling reason for this Body not to act on these bills, I certainly would like to hear that reason. I think it should be reported to the Members because we are, in effect, the board of directors of this large Commonwealth and it behooves us to, at least, search every one of the areas that we possibly can for raising the funds that are so badly needed to take care of those unable to take care of themselves and move ahead in the areas of education, welfare and other problems that are now before us, to which there does not seem to be a constant solution, but one for which we are constantly searching.

I also call upon the leadership on the other side to carefully consider the Governor's Message, to give it some thought and, if there are any errors in it, either in his thinking, his figures or if he has erred in any way, I, for one, would like to know about them and I am sure the Governor would like to have them brought to his attention. I will appreciate it if you will do this for us so that we might have the opportunity to investigate these areas further.

Mr. BERGER. Mr. President, I can assure Senator Weiner and all of the Members of the Senate, as well as the Governor, that we will carefully consider the message placed on our desks today by the Governor. I have not yet had an opportunity to read it, and certainly not to digest it, but, again, we will carefully scrutinize it and make comment upon it, if necessary, later.

As to the tax bills which were returned to committee, we assured the gentleman that they would be returned to the Floor of the Senate. In going over this sheet here, which is a compendium of the thoughts expressed in the Governor's message, I assume expressed in figures, I note that in certain areas some of the estimates have been reduced, and properly so as the bill now stands, particularly the gross receipts tax bill, which now shows a probable return of \$5,800,000. I understand that when the bill was passed by the House, that tax was calculated to bring in some \$11,000,000 and more. That feature, of

course, will be considered in committee to see whether the revenue estimates might be restored by way of another Senate amendment. I do not know.

I am greatly encouraged, in running this down, to note on page four of the message that the estimate of shortage in the budget figures submitted by the Governor is now \$59,760,293. Whether or not that figure has been revised from the original ninety-seven odd million that the Governor last week said he was short, I do not know because I have not digested the message. I hope that that is true. If so, Mr. President, it will make our task somewhat easier because I know that the Appropriations Committee of the Senate will carefully go over the General Appropriation Bill and apply to it some reductions in areas which we will feel will not diminish or curtail the necessary services which the State must render to its citizens.

Mr. SEYLER. Mr. President, I wish, first of all, to endorse the sentiments of the Minority Leader with regard to the need to complete the tax program to balance the budget. However, I would like to make one point here because I have heard the figure of \$28,000,000 used in connection with the need for additional funds for school districts so that they may maintain adequate educational provisions during the next two years. I would like to say that I do not want to sit here and by my silence seem to give consent to that figure as being an adequate one. I do not think anyone should give himself the easy feeling that this \$28,000,000, which is listed here as being considered by the Legislature for increased school subsidies, will be adequate to meet that need. We have in the House, House Bill No. 1108, which I believe would require an expenditure of somewhat under \$200,000,000 to meet the cost of that bill. We have introduced in the Senate, Senate Bill No. 1099, which would set the need, as represented by the provisions of that bill, at just under \$100,000,000.

I have no way of knowing what provision will ultimately be made. However, I want to go on record now as saying that I do not believe that we can seriously consider the figure of \$28,000,000 additional as meeting the need. I propose, at some future time, to document the statement I am now making by showing what would happen if the \$28,000,000 figure were adopted. I believe that I can demonstrate to any fair-minded person, and any person interested in the provisions of an adequate school program for the next biennium, that this figure will not be an adequate one.

Mr. MAHADY. Mr. President, I think we should all note that it is with humility and dignity and with, should I say, clear cut, untrammelled honesty that the Governor has given us a message. It is free of political implications and the political maneuvering to which we have been subjected, in some part, by others. It is a statement, and a businesslike statement, of an honest man with an honest objective, without the use of political maneuvering or political gyrations in order to impress the public.

I particularly want to point out the first complete paragraph, on page 3, of the Governor's Message, in which he said; "I have determined that I will not approve an extension of the sales tax to clothing or to take-home food." That reiterates the statement I made in the record this past week. I want to say to you that it demonstrates that the Governor is a man of heart, a man who is interested in the people as a whole, and with the

problems of a man who is trying to raise and educate a family.

Mr. President, I also want to emphasize the second part of that sentence, in which the Governor says: "I will look very suspiciously at any other proposal to extend the sales tax." I want to say that I subscribe heartily to that. The word "suspiciously" in my mind, means the political maneuvering in order to try to gain a political advantage, at the expense and uncertainty of business and the people, and holding out a false hope that this may be accomplished for a political end.

If the Governor deserves credit for one thing, he deserves it for this; that is, the needs of the Commonwealth come first and politics is second. With some, I note, and particularly in this Body, that politics as usual is the word of the day.

Secondly, on page 4 of the Governor's Message, he deals with dishonesty. The idea which has been proposed and put forward in the press is certainly punctured and the balloon burst with this paragraph: "I hope I have made it perfectly clear that I will not puff up revenue estimates in order to achieve a fictitiously-balanced budget." The Governor points out that for the past seven bieniums this trick, this sleight of hand, this fooling of one's self by raising the estimates to balance the budget, is a delusion and a fraud on the public, and you do not balance the budget. What you do is kid everybody.

If anything is to be accomplished by the present Governor,—and for this I admire him and all Pennsylvanians should admire and back him for it—it will be to place honesty in the fiscal policy of the Commonwealth of Pennsylvania. I say to all of you that he should have your support. These utterings of the fact that we will raise the estimates to balance the budget should be outside utterances, alone, and should not be the measure by which you gauge your conduct.

My last point which I would like to emphasize—and this I say frankly and fearlessly to you—is that the secondary road program of this Commonwealth depends upon the enactment of the one per cent gasoline tax. If the Republicans on the other side of the aisle feel they want to take the responsibility for killing the farmers' road and the man's in the rural community, this responsibility is yours. Unless this one per cent gasoline tax is enacted, there will be no secondary road program because the money will not be available for it.

I would say that you should think twice before you deny to the people in the rural communities, particularly such as I have in my county, the right to have secondary roads built. For this reason, alone, we should consider and consider promptly the one cent tax on gasoline. It is a must for the man in the rural community. The thing which my people and my merchants, in my town, are interested in is not the travel between States, but they are interested in the travel of the people to come into their town to shop and to buy. They want to be able not go to California quickly, but rather they want to be able to go into town to shop and to return home. They want to drive on good roads, too. The burden of furnishing these roads lies upon you and the enactment of the one cent gasoline tax.

#### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, August 31, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:34 o'clock, a.m., Eastern Standard Time, until Monday, August 31, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, August 26, 1959.

The House met at 9:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Lord and Father of mankind, we look to Thee in the stillness of this hour aware that Thou art our Creator and Sustainer. Be with us each hour of the day, we humbly pray, and fill us with Thy zeal. As Thou dost show these servants Thy mercy and dost grant them forgiveness, bestow upon them Thy eternal truth and enable them to foster Thy principles of good government in this House of Representatives. In Jesus name. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, August 25, 1959 will be postponed until printed.

The Chair hears none.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mrs. MONROE for today because of illness.

Mr. Tompkins for Mr. ASHTON for today.

## REPORTS FROM COMMITTEE

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges, in connection with capital improvements to the Ebensburg State School.

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Indiana State Teachers' College.

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County, for furnishings and equipment, grading and landscaping of grounds and improvement of roadways.

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 2330, entitled:

An Act making an appropriation to the Department of Agriculture for the maintenance of a calfhood vaccination program.

Mr. SNIDER from the Committee on Appropriations, reported as committed, House Bill No. 2336, entitled:

An Act making an appropriation to the Department of

Agriculture for the payment of fees to veterinarians for the taking of blood samples.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 779, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) defining "resident" and further regulating eligibility for assistance.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) by increasing the rate of compensation.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" providing for additional payments to certain school districts.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts \* \* \*" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.



Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 480, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," requiring the erection of certain warning signs on State highways.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 568, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and the location and construction of school buildings in school districts of the third and fourth class where the reimbursement by the Commonwealth on account of transportation will be increased because of such acquisition of grounds or the location and construction or reconstruction of school buildings.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 1508, entitled:

An Act transferring the moneys of the State School Fund to the General Fund; providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases; conferring powers and imposing duties upon the State Council of Education, the Superintendent of Public Instruction and the Secretary of Labor and Industry; providing for future escheated estates; making certain appropriations; and repealing certain sections of the Public School Code of 1949.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 2142, entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission providing for its membership defining its powers and duties imposing duties on the State Council of Education and making an appropriation.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 59.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 88.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 90.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 98.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 102.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 103.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 104.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of

expenses and charges, in connection with capital improvements to the Ebensburg State School.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Indiana State Teachers' College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County, for furnishings and equipment, grading and landscaping of grounds and improvement of roadways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2330, entitled:

An Act making an appropriation to the Department of Agriculture for the maintenance of a calfhood vaccination program.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2336, entitled:

An Act making an appropriation to the Department of Agriculture for the payment of fees to veterinarians for the taking of blood samples.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 354.

An Act amending the "Municipal Borrowing Law" approved June 25, 1941 (P L 159) authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds.

HOUSE BILL No. 705.

An Act amending the "Disease Prevention and Control Law of 1955" approved April 23, 1956 (P. L. 1510) providing for the examination of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease.

HOUSE BILL No. 706.

An Act amending the "Disease Prevention and Control



Law of 1955" approved April 23, 1956 (P. L. 1510) providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease.

HOUSE BILL No. 846.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) further regulating the adoption of zoning codes.

HOUSE BILL No. 847.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council.

HOUSE BILL No. 982.

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) requiring tax collectors to include additional information when making statements for taxes collected.

HOUSE BILL No. 1077.

An Act empowering the Department of Health to regulate the burial of radio-active material and to issue permits therefor and prescribing penalties.

HOUSE BILL No. 1129.

An Act amending the act of June 12, 1931 (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospitals \* \* \*" providing for a provisional license.

HOUSE BILL No. 1427.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to request that a certified check accompany bids for contracts.

HOUSE BILL No. 1448.

An Act amending the "Disease Prevention and Control Law of 1955" approved April 23, 1956 (P. L. 1510) allowing court appointed physicians and physicians of penal institutions to make examinations for venereal diseases.

HOUSE BILL No. 1731.

An Act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the city of West Chester.

HOUSE BILL No. 1816.

An Act amending the act of June 20, 1947 (P. L. 745), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaged in certain occupations and businesses there in \* \* \*," changing the times for filing returns.

HOUSE BILL No. 1822.

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

HOUSE BILL No. 2009.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further providing for the regulation of parking lots.

HOUSE BILL No. 2121.

An Act amending the act of March 1, 1867 (P. L. 306), entitled "An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties," providing that the constable and collector hereafter elected shall hold his office for a term of two years.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. Will the lady from Philadelphia, Mrs. Anderson please come to the rostrum. We have a very short first reading Calendar today, and the Chair assures the lady from Philadelphia that when we have a longer calendar, we will ask her to assist us again. This is just a trial venture. The Chair presents the lady from Philadelphia, Mrs. Anderson, to preside over the first reading calendar.

MRS. ANDERSON IN THE CHAIR

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1592, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing that evidence of mental condition may be submitted by disposition or affidavit of a physician of any city-owned hospital or institution.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2013, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), requiring the approval of mufflers by the Secretary of Revenue and prohibiting the sale or lease after specified dates of unapproved mufflers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 356, entitled:

An Act amending the act of February 28, 1956 (P. L. 1154), entitled, as amended, "Incompetents' Estates Act of 1955," providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist or any city-owned hospital or institution.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the lady from Philadelphia and assures her that the next time we have a first reading calendar we will give her another opportunity to serve as efficiently as she has at this time.

The SPEAKER. Will the gentleman from Allegheny, Mr. Devlin, please come to the rostrum? The Chair is asking the gentleman from Allegheny, Mr. Devlin, to preside over the second reading calendar.

Mr. DEVLIN IN THE CHAIR

### SENATE MESSAGE

#### AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 112.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for traffic courts in cities of the third class.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate to Senate Bill No. 112.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 623.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "or" the following: "repeatedly by telephone annoying molesting or harassing another"; Section 1, page 2, line 6, by inserting after the word "language" the following: "or whoever telephones another person repeatedly for the purpose of annoying molesting or harassing such other person or his or her family."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 762.

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of the Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 8, by striking out after the word "the" the words "construction and"; Section 2, page 3, line 6, by striking out after the word "the" the words "construction or" and inserting after the word "repair" the following: "or replacement of the superstructure or the extension".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks



issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood Control purposes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forest and Waters for the development of Erie Harbor and land adjacent thereto.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Bessel Research.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty seven (P. L. 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1755, entitled:

A supplement to the act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by

the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the Universities of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Training School at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

An said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1779, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans assistance.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2225, entitled:

An Act making an appropriation to the Department of

Public Welfare to provide grants to counties and cities for juvenile delinquency programs.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2230, entitled:

An Act making an appropriation to the Department of Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2231, entitled:

An Act making an appropriation to the Department of



Public Instruction to provide grants for improving library services throughout the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning or capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance for certain homes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

### CUB SCOUTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a delegation from the City of York, Cub Pack 13, accompanied by their parents, who are the guests of the gentleman from York, Mr. Gailey.

The Chair thanks the reciprocity of the most welcome group.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 261, entitled:

An Act relating to the practice of massage, providing for the examination licensing registration and regulation of masseurs and masseuses conferring powers and imposing duties upon the Department of Public Instruction and fixing penalties for violations.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 459, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) changing provisions relating to cancellation of registration.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 574, entitled:

An Act amending the "Public School Code of 1949" approved August 9, 1955 (P. L. 30) eliminating residence requirements for board secretaries.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 814, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by removing prohibition against unincorporated associations making political contributions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 899, entitled:

An Act requiring the Department of Highways and the

Department of Forests and Waters to make a survey in cooperation with the United States Army Engineers concerning a roadway between Presque Isle State Park and the City of Erie.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1604, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) providing for review of the determination of financial ability to pay costs of care in State-owned medical and surgical hospitals.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1605, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing for review of the determination of financial ability to pay costs.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1821, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) relieving cities and the counties



in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts.

The first section was read.  
On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2020, entitled:

An Act amending the act of May 26, 1949 (P. L. 1486) entitled "An Act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

The first section was read.  
On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2193, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2261, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the levying and collection of taxes by certain independent school districts.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2321, entitled:

An Act authorizing the Dept. of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres of land in Bensalem Township Bucks County and 13.34 acres of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres of land situate in Somerset Township Somerset County.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 373, entitled:

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act.

The first section was read.  
On the question,  
Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of

of the faculty of State Teachers Colleges \* \* \*” further providing for leaves of absence of faculty members of State Teachers Colleges.

The first section was read.  
On the question,  
Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of Senate Bill No. 756, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled “An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government” increasing the investment powers.

And said bill having been read at length the second time and agreed to.  
Ordered, to be transcribed for third reading.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1542

Mr. VERONA. Mr. Speaker, I move that the vote by which House Bill No. 1542, Printer’s No. 1253, entitled:

“An Act amending the act of May 29, 1956 (P. L. 1804) entitled, ‘An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns, and townships, and the regulation and maintenance thereof \* \* \*,’ changing the provisions regulating the age at which a member of the police force may retire.”

was passed finally Wednesday, August 19, 1959, be reconsidered.

Mr. J. A. O’DONNELL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Northampton, Mr. Verona vote on the final passage of this bill?

Mr. VERONA. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Northampton, Mr. O’Donnell vote on the final passage of this bill?

Mr. J. A. O’DONNELL. Mr. Speaker, I voted with the prevailing side.

On the question,  
Will the House agree to the motion?  
It was agreed to.  
On the question recurring,  
Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.  
The motion was agreed to.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection  
House Bill No. 263, Printer’s No. 1420 and

House Bill No. 516, Printer’s No. 1517 were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 802, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

On the question,  
Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, on page 20 of today’s calendar, bills on final passage, House Bill No. 802, Printer’s No. 1421, is a bill dealing with the electorate being permitted to vote during periods of employment. If you will check the bill very carefully it provides for a period of two hours, in certain cases, without deduction in salary or wages if there is no other way that they can go to the polls to vote, depending upon the type of work or the hours that they work.

Mr. Speaker, I request that the Members of the House support House Bill No. 802.

Mr. WILT. Mr. Speaker, as a sponsor on this bill my name is on the calendar. I am not one of the sponsors. It is Mr. Welsh.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

Can the gentleman advise the Chair whether the error is also on the printed copy of the bill?

Mr. WILT. No, it is not, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

Anderson,	Frascella,	McLaughlin,	Rovansek,
Arlene,	Fulmer,	Machmer,	Rudisill,
Balthaser,	Gailey,	Maxwell,	Scarcelli,
Bell,	Gallagher,	Meholchick,	Schaaf,
Boles,	Gelfand,	Mihm,	Schuster,
Bonner,	Goodrich,	Mills,	Sherman,
Boris,	Hamilton,	Muldowney,	Shupnik,
Branca,	Holliday,	Mullen,	Silverman,
Breth,	Holt,	Munley,	Snider,
Buchanan,	Irvis,	Murphy, A. J., Jr.,	Stank,
Burns,	Isaacs,	Murphy, P. J.,	Stewart,
Capano,	Jenkins,	Murray, H. P.	Stone,
Capitolo,	Jim,	Murray, J. J.,	Taylor,
Cianfrani,	Johnson, A. W.,	Musto,	Tompkins,
Cioffi,	Jones, F. R.,	Needham,	Trusio,
Clarke,	Jump,	Nelson,	Varallo,
Comer,	Kamyk,	O’Donnell, J. A.,	Varner,
Crossin,	Kee,	O’Donnell, J. P.,	Verona,
Curwood,	Kessler,	Odorisio,	Wall,
Dengler,	Kornick,	O’Neil,	Walsh,
Devlin,	Kovolenko,	Parlante,	Wargo,
Dougherty,	Kubitsky,	Pashley,	Welsh,
Elberg,	Lamb,	Perry, H. H.,	Wheeler,
Eshback,	Lee, K. B.,	Perry, P. E.,	Whittaker,
Eshleman,	Leonard,	Petrosky,	Williams, A. D., Jr.,
Farabaugh,	Light,	Polaski,	Williams, E. S.,
Filo,	Limper,	Polen,	Wood,
Fineman,	Lopresti,	Prendergast,	Worley,
Floyd,	Lutty,	Pursley,	Wynd,
Flynn,	McCann,	Reibman,	Yatron,
Foerster,	McCormack,	Reidenbach,	Yetter,
Fox,	McDonald,	Renwick,	Andrews,
Frank,	McKeever,	Riley,	Speaker



## NAYS—59

Agnew,	Gibb,	Lee, A. M.,	Royer,
Auker,	Goldstein,	Lippincott,	Seltzer,
Barton,	Gramlich,	McCandless,	Steckel,
Blair,	Guthrie,	Magee,	Stimmel,
Bower,	Hefner,	Mahan,	Stoner,
Bowman,	Helm,	Markley,	Strausser,
Brenninger,	Henzel,	Merry,	Stroup,
Davis,	Hocker,	Miller, B. Z.,	Ujobal,
Dennison,	Horst,	Murray, P. G.,	Weidner,
Donahue,	Johnson, R.,	Naugle,	Wescott,
Down,	Jones, T. H. W.,	O'Dell,	Willard,
Edwards,	Keiser,	Ogilvie,	Willaredt,
Ewing,	Kernaghan,	Price,	Wilt,
Fetterolf,	Knecht,	Rigby,	Zimmerman,
George,	Kooker,		

## NOT VOTING—19

Ashton,	Garlock,	Miller, H. G.,	Snare,
Brown,	Heavey,	Monroe,	Stevens,
Cooper,	Korns,	Moran,	Sullivan,
Dennis,	Luigard,	Sakulsky,	Thompson,
Donaldson,	McInroy,	Schwartz,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Orderd, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1055, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589), altering the requirements for licensure increasing penalties for unlicensed barbering or teaching \* \* \*

## RECONSIDERATION OF VOTE

Mr. McCANN, Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 15), page 12, line 19, by striking out "and unless such shop shall have the."

Amend Sec. 1 (Sec. 15), page 13, lines 1 to 6, by striking out all of said lines.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1058, entitled:

An Act relating to plumbing providing for the regulation of persons engaged in plumbing prescribing the powers and duties of the Department of Health and those of local governments with respect thereto.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. MAXWELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1059, entitled:

An Act relating to licensing of persons engaged in plumbing creating a State Plumbing Board in the Department of Public Instruction prescribing its powers and duties and those of local governments with respect thereto.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. BOIES. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1191, entitled:

An Act amending the "Vehicle Code" of April 29, 1959 (Act No. 32) entitled "An Act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for periodic examinations or re-examinations of operators and penalties for the violation of licensing provisions.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1637, entitled:

An Act amending the "Magistrates' Fee Bill of Cities of Cities of the First Class" approved July 13, 1953 (P. L. 447) by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Agnew,	Frascella,	McDonald,	Rovansek,
Anderson,	Fulmer,	McKeever,	Royer,
Arlene,	Galley,	McLaughlin,	Rudisill,
Auker,	Gallagher,	Machmar,	Scarcell,
Balthaser,	Gelfand,	Magee,	Schaaf,
Barton,	George,	Mahan,	Schuster,
Bell,	Gibb,	Markley,	Schwartz,
Blair,	Goldstein,	Maxwell,	Seltzer,
Boles,	Goodrich,	Meholchick,	Sherman,
Bonner,	Gramlich,	Merry,	Shupnik,
Boris,	Guthrie,	Mihm,	Silverman,

Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Ewing, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Lutty, McCandless, McCann,	Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—5

Horst, Lippincott,	McCormack, Taylor,	Worley,
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## NOT VOTING—18

Ashton, Brown, Cooper, Dennis, Donaldson,	Garlock, Heavey, Korns, Luigard, McInroy,	Miller, H. G., Monroe, Moran, Sakulsky,	Snare, Stevens, Sullivan, Thompson,
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## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. WEIDNER for the remainder of today.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) extending the term of the lien of certain municipal claims the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to six years.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Fulmer, Gailley, Gallagher, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Hefner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lutty, McCandless, McCann,	McCormack, McDonald, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovasek,	Royer, Rudisill, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—19

Ashton, Brown, Cooper, Dennis, Donaldson,	Garlock, Heavey, Korns, Luigard, McInroy,	Miller, H. G., Monroe, Moran, Sakulsky,	Snare, Stevens, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax \* \* \* not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate which such claims or judgments were originally assessed uncertain certain terms and conditions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—189

Agnew,	Fulmer,	McCormack,	Rovansek,
Anderson,	Galley,	McDonald,	Royer,
Arlene,	Gallagher,	McKeever,	Rudisill,
Auker,	Gelfand,	McLaughlin,	Scarcelli,
Balthaser,	George,	Machmer,	Schaaf,
Barton,	Gibb,	Magee,	Schuster,
Bell,	Goldstein,	Mahan,	Schwartz,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Maxwell,	Sherman,
Bonner,	Guthrie,	Meholchick,	Shupnik,
Boris,	Hamilton,	Merry,	Silverman,
Bower,	Heffner,	Mihm,	Snider,
Bowman,	Helm,	Miller, B. Z.,	Stank,
Branca,	Henzel,	Mills,	Steckel,
Brenninger,	Hocker,	Muldowney,	Stewart,
Breth,	Holliday,	Mullen,	Stimmel,
Buchanan,	Holt,	Munley,	Stone,
Burns,	Horst,	Murphy, A. J., Jr.	Stoner,
Capano,	Irvls,	Murphy, P. J.,	Strausser,
Capitolo,	Isaacs,	Murray, H. P.,	Stroup,
Cianfrani,	Jenkins,	Murray, J. J.,	Taylor,
Cioffi,	Jim,	Murray, P. G.,	Tompkins,
Clarke,	Johnson, A. W.,	Musto,	Trusio,
Comer,	Johnson, R.,	Naugle,	Ujobai,
Crossin,	Jones, F. R.,	Needham,	Varallo,
Curwood,	Jones, T. H. W.,	Nelson,	Varnier,
Davis,	Jump,	O'Dell,	Verona,
Dengler,	Kamyk,	O'Donnell, J. A.,	Wall,
Dennison,	Kee,	O'Donnell, J. P.	Walsh,
Devlin,	Kelser,	Odorisio,	Wargo,
Donahue,	Kernaghan,	Ogilvie,	Welsh,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Eilberg,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Whittaker,
Filo,	Leonard,	Price,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lippincott,	Reidenbach,	Yatron,
Foerster,	Lopresti,	Renwick,	Yetter,
Fox,	Lutty,	Rigby,	Zimmerman,
Frank,	McCandless,	Riley,	Andrews,
Frascella,	McCann,		Speaker

## NAYS—0

## NOT VOTING—19

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1652, Printer's No. 1287

House Bill No. 1702, Printer's No. 1402

House Bill No. 1726, Printer's No. 1306

House Bill No. 1794, Printer's No. 1518, and

House Bill No. 1802, Printer's No. 1255

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1893, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle

Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors" providing that the additional examination required for school bus operators shall also apply to operators of buses subject to the jurisdiction of the Pennsylvania Public Utility Commission which carry school children.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Agnew,	Fulmer,	McCormack,	Rovansek,
Anderson,	Galley,	McDonald,	Royer,
Arlene,	Gallagher,	McKeever,	Rudisill,
Auker,	Gelfand,	McLaughlin,	Scarcelli,
Balthaser,	George,	Machmer,	Schaaf,
Barton,	Gibb,	Magee,	Schuster,
Bell,	Goldstein,	Mahan,	Schwartz,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Maxwell,	Sherman,
Bonner,	Guthrie,	Meholchick,	Shupnik,
Boris,	Hamilton,	Merry,	Silverman,
Bower,	Heffner,	Mihm,	Snider,
Bowman,	Helm,	Miller, B. Z.,	Stank,
Branca,	Henzel,	Mills,	Steckel,
Brenninger,	Hocker,	Muldowney,	Stewart,
Breth,	Holliday,	Mullen,	Stimmel,
Buchanan,	Holt,	Munley,	Stone,
Burns,	Horst,	Murphy, A. J., Jr.,	Stoner,
Capano,	Irvls,	Murphy, P. J.,	Strausser,
Capitolo,	Isaacs,	Murray, H. P.	Stroup,
Cianfrani,	Jenkins,	Murray, J. J.,	Taylor,
Cioffi,	Jim,	Murray, P. G.,	Tompkins,
Clarke,	Johnson, A. W.,	Musto,	Trusio,
Comer,	Johnson, R.,	Naugle,	Ujobai,
Crossin,	Jones, F. R.,	Needham,	Varallo,
Curwood,	Jones, T. H. W.,	Nelson,	Varnier,
Davis,	Jump,	O'Dell,	Verona,
Dengler,	Kamyk,	O'Donnell, J. A.,	Wall,
Dennison,	Kee,	O'Donnell, J. P.,	Walsh,
Devlin,	Kelser,	Odorisio,	Wargo,
Donahue,	Kernaghan,	Ogilvie,	Welsh,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Williams, A. D., Jr.,
Eilberg,	Kornick,	Perry, H. H.,	Williams, E. S.,
Eshback,	Kovolenko,	Perry, P. E.,	Willard,
Eshleman,	Kubitsky,	Petrosky,	Willaredt,
Ewing,	Lamb,	Polaski,	Wilt,
Farabaugh,	Lee, A. M.,	Polen,	Whittaker,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Filo,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yatron,
Flynn,	Lippincott,	Reidenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,	McCann,		

## NAYS—0

## NOT VOTING—19

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1984, entitled:

An Act relating to the payment of wages or compensation for labor or services in private employment providing

for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages \* \* \*

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—117

Anderson,	Foerster,	McDonald,	Reidenbach,
Arlene,	Fox,	McKeever,	Renwick,
Auker,	Frank,	McLaughlin,	Riley,
Balthaser,	Frascella,	Machmer,	Rovanssek,
Barton,	Galley,	Maxwell,	Rudisill,
Bell,	Gallagher,	Meholchick,	Scarcelli,
Boles,	Gelfand,	Mihm,	Schaaf,
Bonner,	Hamilton,	Mills,	Schwartz,
Bower,	Holliday,	Muldowney,	Sherman,
Branca,	Holt,	Mullen,	Shupnik,
Breth,	Irlis,	Munley,	Silverman,
Buchanan,	Jenkins,	Murphy, A. J., Jr.,	Snider,
Burns,	Jim,	Murphy, P. J.,	Stank,
Capano,	Jones, F. R.,	Murray, J. J.,	Stewart,
Capitolo,	Jump,	Musto,	Stone,
Cianfrani,	Kamyk,	Needham,	Taylor,
Cioffi,	Kee,	Nelson,	Trusio,
Clarke,	Kessler,	O'Donnell, J. A.,	Varallo,
Comer,	Kooker,	O'Donnell, J. P.,	Verona,
Crossin,	Kovolenko,	Odoriso,	Walsh,
Curwood,	Kubitsky,	O'Neill,	Wargo,
Dengler,	Lamb,	Parlante,	Welsh,
Devlin,	Lee, K. B.,	Pashley,	Wheeler,
Dougherty,	Leonard,	Perry, H. H.,	Williams, A. D., Jr.,
Elberg,	Limper,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lopresti,	Petrosky,	Worley,
Filo,	Lutty,	Polaski,	Yetter,
Fineman,	McCandless,	Polen,	Andrews,
Floyd,	McCann,	Prendergast,	Speaker
Flynn,	McCormack,		

## NAYS—63

Agnew,	Goldstein,	Mahan,	Stimmel,
Boris,	Goodrich,	Markley,	Stoner,
Bowman,	Gramlich,	Merry,	Strausser,
Brenninger,	Guthrie,	Miller, B. Z.,	Stroup,
Davis,	Helm,	Murray, H. P.,	Tompkins,
Dennison,	Henzel,	Murray, P. G.,	Ujobal,
Donahue,	Hocker,	Naugle,	Wall,
Down,	Horst,	O'Dell,	Wescott,
Edwards,	Isaacs,	Ogilvie,	Whittaker,
Eshback,	Johnson, R.,	Price,	Willard,
Eshleman,	Kelser,	Pursley,	Willaredt,
Ewing,	Kernaghan,	Reibman,	Wilt,
Fetterolf,	Knecht,	Rigby,	Wood,
Fulmer,	Lee, A. M.,	Royer,	Wynd,
George,	Light,	Seltzer,	Zimmerman,
Gibb,	Lippincott,	Steckel,	

## NOT VOTING—28

Ashton,	Heavey,	McInroy,	Snare,
Blair,	Heffner,	Magee,	Stevens,
Brown,	Johnson, A. W.,	Miller, H. G.,	Sullivan,
Cooper,	Jones, T. H. W.,	Monroe,	Thompson,
Dennis,	Kornick,	Moran,	Varnier,
Donaldson,	Korns,	Sakulsky,	Weldner,
Garlock,	Lulgard,	Schuster,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "An act relating to mental health including mental illness, defect epilepsy and inebriety and amending re-

vising consolidating and changing the procedures for the handling of patients' funds and repealing inconsistent laws.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Galley,	McCormack,	Royer,
Auker,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heffner,	Merry,	Snider,
Branca,	Helm,	Mihm,	Stank,
Brenninger,	Henzel,	Miller, B. Z.,	Steckel,
Breth,	Hocker,	Mills,	Stewart,
Buchanan,	Holliday,	Muldowney,	Stimmel,
Burns,	Holt,	Mullen,	Stone,
Capano,	Horst,	Munley,	Stoner,
Capitolo,	Irlis,	Murphy, P. J.,	Strausser,
Cianfrani,	Isaacs,	Murray, H. P.,	Stroup,
Cioffi,	Jenkins,	Murray, J. J.,	Taylor,
Clarke,	Jim,	Murray, P. G.,	Tompkins,
Comer,	Johnson, A. W.,	Musto,	Trusio,
Crossin,	Johnson, R.,	Naugle,	Ujobal,
Curwood,	Jones, F. R.,	Needham,	Varallo,
Davis,	Jones, T. H. W.,	Nelson,	Varnier,
Dengler,	Jump,	O'Dell,	Verona,
Dennison,	Kamyk,	O'Donnell, J. A.,	Wall,
Devlin,	Kee,	O'Donnell, J. P.,	Walsh,
Donahue,	Kelser,	Odoriso,	Wargo,
Dougherty,	Kernaghan,	Ogilvie,	Welsh,
Down,	Kessler,	O'Neill,	Wescott,
Edwards,	Knecht,	Parlante,	Wheeler,
Elberg,	Kooker,	Pashley,	Whittaker,
Eshback,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Ewing,	Kubitsky,	Petrosky,	Willard,
Farabaugh,	Lamb,	Polaski,	Willaredt,
Fetterolf,	Lee, A. M.,	Polen,	Wilt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Pursley,	Wynd,
Flynn,	Limper,	Reibman,	Yatron,
Foerster,	Lippincott,	Reidenbach,	Yetter,
Fox,	Lopresti,	Renwick,	Zimmerman,
Frank,	Lutty,	Rigby,	Andrews,

Speaker

## NAYS—1

Murphy, A. J., Jr.,

## NOT VOTING—19

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 2139, Printer's No. 1519, was passed over at the request of the SPEAKER pro tempore.

The SPEAKER pro tempore. The Chair requests the Speaker to return to the rostrum.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.



## BILLS ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1109 on page 13 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act establishing as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties of the second class and requiring their construction repair and maintenance by the Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HELM. Mr. Speaker, I ask unanimous consent to make a very brief statement on this bill on second reading.

The SPEAKER. The gentleman will proceed.

Mr. HELM. Then I would like to raise a question.

Mr. Speaker, I would also like to have permission to discuss, if I may, some of the procedure concerning House Bill 1109 as well as House Bill 2239.

These are bills which are designed to take over roads within this Commonwealth. House Bill 1109 takes over certain county roads in the County of Allegheny, and House Bill 2239 takes over certain city streets and bridges in the city of Philadelphia.

I would like to read, for the information of this House, and then I will request a ruling from the Chair on a question of parliamentary inquiry on Rule 14 of the Rules of this House, where it says,

No bills for the establishment of new State highway routes or for changes in or abolition of existing routes shall be introduced in the House, except such as include in single bills the total mileage to be added, changed or abolished with respect to each type of State Highways, at a session of the General Assembly.

My point is, I would like to ask a ruling of the Chair as to whether or not, in his opinion, the bill 1109 and the bill 2239 come under the proper classification and can be included as separate legislation.

The SPEAKER. The Chair after considerable research and study has arrived at the conclusion, and we have arrived at that conclusion reluctantly, that highway bills by classification are in order and in agreement with the statutes of law and the past practice of the Assembly, that is, that you can provide for classification in a first-class county. By so doing you would admit that you could have classification for second-class counties, third-class counties, and on down the line, or that you could create a classification of boroughs, or you could create a classification of third-class cities and that the classification practice is so thoroughly substantiated in the law and the procedure as to be accepted, that the intent of the Rule was to provide for individual bills applying to a particular highway.

Mr. HELM. I thank the Chair.

Mr. Speaker, I would then like to raise this question. I know that the argument will be used that there are only, I believe, two counties in the entire Commonwealth that have a county road system; therefore there would

not be county roads to be taken over, and I am willing to accept counties as a proper classification.

Now my next question is, could I conceivably introduce legislation in this House permitting the state to take over all of the bridges in the eighth-class counties of the Commonwealth as a separate omnibus bill?

The SPEAKER. The Chair would be of the opinion that such a classification including all of the eighth-class counties or all of the seventh-class counties, or all of the fourth and fifth, would be deemed acceptable and could be properly brought before this House for its consideration.

Mr. HELM. I thank the Chair.

Mr. Speaker, if I may say, in past sessions I know it has been customary that we have had three omnibus bills in this House of Representatives, one has been for the cities of this Commonwealth, one for the boroughs of this Commonwealth, and one for the townships of this Commonwealth. I think that has been the ordinary procedure, and I am willing to accept that a proper classification would be counties.

However, I do believe that in the case of House Bill 2239, it should be included in any omnibus bill for streets of any other city in this Commonwealth, and therefore I think it is an improper classification. However, I would like to point out that it is conceivably possible, under the ruling that has been made, for I believe the Chair is absolutely correct, that we could have fifteen separate categories of omnibus bills in this House of Representatives, so I say to the Members of this House who live in other class counties that perhaps they should prepare omnibus bills for their respective class counties and have them offered to this House of Representatives.

Mr. Speaker, we will debate the merits of the bill at length on final passage the first of next week but I thank you for your ruling.

The SPEAKER. The Chair has stated that he arrived at his findings reluctantly, because we do not believe personally that in the long range it is desirable legislation, but facts are facts, and practice is practice. The Administrative Code shows that these are facts which the Chair reluctantly is compelled to recognize.

The Chair will ask the gentleman from Allegheny, Mr. Devlin, who has performed so magnificently, if his throat is still good, to resume the chair.

Mr. DEVLIN IN THE CHAIR.

The first, second, third, fourth and fifth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered to be transcribed for third reading

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2239 on page 16 of today's calendar, bills on second reading

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2239, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the first class as State Highways \* \* \* and appropriating money in the Motor License Fund for the purpose of

this act eliminating certain restrictions" changing certain routes and adding certain new routes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

## BILLS ON THIRD READING

### BILLS PASSED OVER

There being no objection

House Bill No. 325, Printer's No. 999,

House Bill No. 515, Printer's No. 1408, and

House Bil No. 767, Printer's No. 1372

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 790, entitled:

An Act requiring employers to pay for the medical examination fee where such examination is a condition for employment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—187

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanssek,
Arlene,	Gailey,	McCormack,	Royer,
Auker,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Gelfand,	McKeever,	Scarcelli,
Barton,	George,	McLaughlin,	Schaaf,
Bell,	Gibb,	Machmer,	Schuster,
Blair,	Goldstein,	Magee,	Schwartz,
Boles,	Goodrich,	Mahan,	Seltzer,
Bonner,	Gramlich,	Markley,	Sherman,
Boris,	Guthrie,	Maxwell,	Shupnik,
Bower,	Hamilton,	Meholchick,	Silverman,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Mills,	Steckel,
Breth,	Hocker,	Muldowney,	Stewart,
Buchanan,	Holliday,	Mullen,	Stimmel,
Burns,	Holt,	Munley,	Stone,
Capano,	Horst,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Irvis,	Murphy, P. J.,	Strausser,
Cianfrani,	Isaacs,	Murray, H. P.,	Stroup,
Cioffi,	Jenkins,	Murray, J. J.,	Taylor,
Clarke,	Jim,	Musto,	Tompkins,
Comer,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Crossin,	Johnson, R.,	Naugle,	Ujobai,
Curwood,	Jones, F. R.,	Needham,	Varallo,
Davis,	Jones, T. H. W.,	Nelson,	Varnier,
Dengler,	Jump,	O'Dell,	Verona,
Dennison,	Kamyk,	O'Donnell, J. A.,	Wall,
Devlin,	Kee,	O'Donnell, J. P.,	Walsh,
Donahue,	Kelser,	Odorisio,	Wargo,
Dougherty,	Kernaghan,	Ogilvie,	Welsh,
Down,	Kessler,	O'Neil,	Wescott,
Edwards,	Knecht,	Parlante,	Wheeler,
Elberg,	Kooker,	Pashley,	Whittaker,
Eshback,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Ewing,	Kubitzky,	Petrosky,	Willard,
Farabaugh,	Lamb,	Polaski,	Willaredt,
Fetterolf,	Lee, A. M.,	Polen,	Wilt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Light,	Pursley,	Wynd,
Flynn,	Limper,	Rebman,	Yetter,
Foerster,	Lippincott,	Reldenbach,	Zimmerman,
Fox,	Lopresti,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	

Speaker

### NAYS—1

Merry,

### NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 910, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the computation and payment of tuition charges for non-resident pupils.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovanssek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcelli,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irvis,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobai,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Elberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitzky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Rebman,	Yetter,
Fox,	Lopresti,	Reldenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,

Speaker

### NAYS—0



## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 958, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), including costs of grading sewage treatment plants and interest thereon in computing reimbursable rentals.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the lady from Northampton, Mrs. Reibman, consent to be interrogated?

Mrs. REIBMAN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is the cost of this reimbursement program included in the first budget?

The SPEAKER pro tempore. The lady from Northampton yields to the Majority Leader.

Mr. McCANN. Yes, Mr. Speaker, the gentleman from Allegheny knows quite well that each project is a particular project and the reimbursement for the entire project is a part of the project. Therefore, if the project is being approved, it is on the approved list, this would be a part of that and it was not necessarily ever a part of an individual budget.

Mr. GOLDSTEIN. Well, Mr. Speaker, when the budget was prepared by the Governor for the Department of Public Instruction were conservation and sewage treatment plants contemplated in the figure arrived at?

Mr. McCANN. Mr. Speaker, they do not have to be. Listen carefully. You build a school project. The law now provides what constitutes a project. This bill adds to that project the sewage treatment plant as part of the plant. So if you build a schoolhouse for a half million dollars in an area in which you have to put a sewage treatment plant, the project reimbursable would be a half million even though the district itself has to spend \$20,000 for, we will say, the sewage treatment plant. Now then, this being the cost of the plant the entire project would be \$520,000, would it not? Then the project would be reimbursable. Now the entire project is reimbursable, you set the ceiling here in the House under the School Authority. Therefore, you control it again. There is a matter of controlling it in the budget, yes.

Mr. GOLDSTEIN. Well let us figure, as a matter of fact, if we pass this bill and their school district is a

two and a half grading and the sewage plant—this is rough grading?

Mr. McCANN. That is right.

Mr. GOLDSTEIN. This is rough grading and sewage plants will increase the cost of the reimbursement. It certainly has to do so.

Mr. McCANN. Mr. Speaker, the gentleman from Allegheny quite well knows that perhaps the individual project will cost a few dollars more but it would not cost any more in the total. If you set the ceiling under the School Building Authority they approve Project No. 100, that project has a certain amount of money. That money is part of the School Building Authority ceiling which you set, which is \$100 million per year and it is in operation now. This would be a part of it, and therefore, does not require any entry in the budget.

Mr. GOLDSTEIN. That is all, Mr. Speaker.

Mr. Speaker, I oppose this bill because it means an additional item which the state of Pennsylvania will be compelled to pay for the construction of schools. No matter how we call it, whenever a new school is constructed, the cost without a sewage plant, plus grading, is \$100,000, and with these two items in it is \$25,000 more, it is going to cost the taxpayers of the Commonwealth more money.

We think this is an item which should be thrown back to the local districts and therefore the state cannot pay it entirely.

Mrs. REIBMAN. Mr. Speaker, the purpose of this bill would, I believe, cause school districts to select right sites which are not as expensive because of the rough grading that would be necessary. These school districts can select very expensive school sites because there is no grading done on such sites.

Under this bill there would be reimbursement to the extent that the costs for such rough grading are deemed reasonable by the Department of Public Instruction. Therefore, I think the intended purpose of this bill would tend to have school districts find sites that are less expensive even though they may have some cost in the rough grading of it.

I urge the Members to support the bill.

Mr. POLEN. Mr. Speaker, in connection with this bill before us, many of the school districts in the rural school districts are not able to connect with sewerage plants like they can in boroughs and cities. The Department of Health requires that these plants be built in order that buildings be used. They are just as much a part of the cost of the building as the plumbing would be. The school buildings would be useless unless these plants were constructed and the school building cannot be used if they were not constructed.

Now it is unfair, I believe, in a borough or city where they have sewage disposal, they connect with no cost, and in the rural districts they are required to build this sewage plant, and it is an essential part of the construction project.

So far as the reimbursement is concerned, the amount included in the budget takes into consideration the increase in the ceiling so that no additional funds are required. It would, however, if there were a large number of sewage plants constructed. In a way, it would

slightly reduce the amount that was available out of the \$225 million ceiling.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—184

Agnew,	Galley,	McDonald,	Rovansek,
Anderson,	Gallagher,	Machmer,	Royer,
Arlene,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Magee,	Schaaf,
Bell,	Goodrich,	Mahan,	Boles,
Blair,	Gramlich,	Markley,	Schwartz,
Boles,	Guthrie,	Maxwell,	Seltzer,
Bonner,	Hamilton,	Meholchick,	Sherman,
Boris,	Heffner,	Merry,	Shupnik,
Bower,	Helm,	Mihm,	Silverman,
Bowman,	Henzel,	Miller, B. Z.,	Snider,
Branca,	Hocker,	Mills,	Stank,
Brenninger,	Holliday,	Muldowney,	Steckel,
Breth,	Holt,	Mullen,	Stewart,
Buchanan,	Horst,	Munley,	Stimmel,
Burns,	Irviss,	Murphy, A. J., Jr.,	Stone,
Capano,	Isaacs,	Murphy, P. J.,	Stoner,
Capitolo,	Jenkins,	Murray, H. P.	Strusser,
Cianfrani,	Jim,	Murray, J. J.,	Stroup,
Cioffi,	Johnson, A. W.,	Murray, P. G.,	Taylor,
Clarke,	Johnson, R.,	Musto,	Tompkins,
Comer,	Jones, F. R.,	Naugle,	Trusio,
Crossin,	Jones, T. H. W.,	Needham,	Ujobal,
Curwood,	Jump,	Nelson,	Varallo,
Davis,	Kamyk,	O'Dell,	Varnier,
Dengler,	Kee,	O'Donnell, J. A.,	Verona,
Dennison,	Kelser,	O'Donnell, J. P.,	Wall,
Devlin,	Kernaghan,	Odorisio,	Walsh,
Donahue,	Kessler,	Ogilvie,	Wargo,
Dougherty,	Knecht,	O'Neil,	Welsh,
Down,	Kooker,	Parlante,	Wescott,
Edwards,	Kornick,	Pashley,	Wheeler,
Ellberg,	Kovolenko,	Perry, H. H.,	Whittaker,
Eshback,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Ewing,	Lee, K. B.,	Polaski,	Willard,
Farabaugh,	Leonard,	Polen,	Willaredt,
Fetterolf,	Light,	Prendergast,	Wilt,
Filo,	Limper,	Price,	Wood,
Fineman,	Lippincott,	Pursley,	Worley,
Floyd,	Lopresti,	Reibman,	Wynd,
Flynn,	Lutty,	Reidenbach,	Yetter,
Fox,	McCandless,	Renwick,	Zimmerman,
Frank,	McCann,	Rigby,	Andrews,
Frascella,	McCormack,	Riley,	
Fulmer,			Speaker

## NAYS—4

Auker,	Foerster,	Goldstein,	Lamb,
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## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavy,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1054, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the compensation of the State Board of Barber Examiners.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irviss,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strusser,
Cianfrani,	Jenkins,	Murray, H. P.	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobal,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varnier,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker

## NAYS—1

Fulmer,

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavy,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death \* \* \*.

And said bill having been read at length the third time, considered and agreed to.



On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Agnew,	Frascella,	McCann,	Riley,
Anderson,	Fulmer,	McCormack,	Rovansek,
Arlene,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McKeever,	Rudisill,
Balthaser,	Gelfand,	McLaughlin,	Scarcelli,
Barton,	George,	Machmer,	Schaaf,
Bell,	Gibb,	Magee,	Schuster,
Blair,	Goldstein,	Mahan,	Schwartz,
Boles,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Sherman,
Boris,	Guthrie,	Meholchick,	Shupnik,
Bower,	Hamilton,	Merry,	Silverman,
Bowman,	Heffner,	Mihm,	Snider,
Branca,	Helm,	Miller, B. Z.,	Stank,
Brenninger,	Henzel,	Mills,	Steckel,
Breth,	Hocker,	Muldowney,	Stewart,
Buchanan,	Holliday,	Mullen,	Stimmel,
Burns,	Holt,	Munley,	Stone,
Capano,	Horst,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Irviss,	Murphy, P. J.,	Strausser,
Cianfrani,	Isaacs,	Murray, H. P.,	Stroup,
Cioffi,	Jenkins,	Murray, J. J.,	Taylor,
Clarke,	Jim,	Murray, P. G.,	Trusio,
Comer,	Johnson, A. W.,	Musto,	Ujobai,
Crossin,	Johnson, R.,	Naugle,	Varallo,
Curwood,	Jones, F. R.,	Needham,	Varnier,
Davis,	Jones, T. H. W.,	Nelson,	Verona,
Dengler,	Jump,	O'Dell,	Wall,
Dennison,	Kamyk,	O'Donnell, J. A.,	Walsh,
Devlin,	Kee,	O'Donnell, J. P.,	Wargo,
Donahue,	Kelser,	Odorisio,	Welsh,
Dougherty,	Kernaghan,	O'Neil,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Elberg,	Kornick,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yetter,
Flynn,	Lippincott,	Reidenbach,	Zimmerman,
Foerster,	Lopresti,	Renwick,	Andrews,
Fox,	Lutty,		
Frank,	McCandless,		Speaker

## NAYS—3

Kooker, Ogilvie, Tompkins,

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

## BILL PASSED OVER

There being no objection

House Bill No. 1205, Printer's No. 1317 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984)

entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing \* \* \*."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcelli,
Boles,	Gibb,	Machmer,	Schaaf,
Bonner,	Goldstein,	Magee,	Schuster,
Barton,	Goodrich,	Mahan,	Schwartz,
Bell,	Gramlich,	Markley,	Seltzer,
Blair,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irviss,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobai,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Elberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
Frascella,	McCandless,	Rigby,	Speaker

## NAYS—1

Buchanan,

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1554, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982) entitled "An act authorizing the Supreme Court of Penn-

sylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record \* \* \* authorizing the Supreme Court of Pennsylvania to make rules for the orphans' courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovansek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcell,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Heim,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irvls,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobal,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D. Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,

Speaker

#### NAYS—0

#### NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—187

Agnew,	Frascella,	McCann,	Riley,
Anderson,	Fulmer,	McCormack,	Rovansek,
Arlene,	Galley,	McDonald,	Royer,
Auker,	Gallagher,	McKeever,	Rudisill,
Balthaser,	Gelfand,	McLaughlin,	Scarcell,
Barton,	George,	Machmer,	Schaaf,
Bell,	Gibb,	Magee,	Schuster,
Blair,	Goldstein,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Heim,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irvls,	Murphy, A. J., Jr.,	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobal,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varnier,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D. Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker

#### NAYS—1

#### NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.



## BILLS PASSED OVER

There being no objection

House Bill No. 1651, Printer's No. 1176;

House Bill No. 1861, Printer's No. 1054 and

House Bill No. 1906, Printer's No. 1292

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1907, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) clarifying the provisions relating to shooting across or at wild birds or animals on highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovanseck,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcelli,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irviss,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobal,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavy,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1909, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the provision relating to trapping by nonresidents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovanseck,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcelli,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irviss,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobal,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavy,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1911, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing time when license tag must be displayed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irvis,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cloff,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobal,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varnier,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odoriso,	Wargo,
Dougherty,	Kessler,	Oglvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reldenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1912, entitled:

An Act amending "The Game Law" approved June 3,

1937 (P. L. 1225) removing provisions relating to archery preserves.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovansek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcell,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irvis,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cloff,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobal,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Keiser,	O'Donnell, J. P.	Walsh,
Dougherty,	Kernaghan,	Odoriso,	Wargo,
Down,	Kessler,	Oglvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reldenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Andrews,
			Speaker

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1940, Printer's No. 1057 and

House Bill No. 1941, Printer's No. 1058

were passed over at the request of the SPEAKER pro tempore.



Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1944, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917) entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers \* \* \*" concerning minimum wages providing for a minimum wage for employees in this Commonwealth providing a wage board procedure for establishing supplementary minimum wages defining the powers and duties of the Department of Labor and Industry and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—154

Agnew,	Fulmer,	McDonald,	Rigby,
Anderson,	Galley,	McKeever,	Riley,
Arlene,	Gallagher,	McLaughlin,	Rovansek,
Auker,	Gelfand,	Machmer,	Royer,
Balthaser,	Gibb,	Magee,	Rudisill,
Bell,	Goldstein,	Mahan,	Scarcell,
Blair,	Guthrie,	Markley,	Schaaf,
Boles,	Hamilton,	Maxwell,	Schuster,
Bonner,	Heffner,	Meholchick,	Schwartz,
Boris,	Henzel,	Merry,	Seltzer,
Bower,	Holt,	Mihm,	Sherman,
Branca,	Irlis,	Miller, B. Z.,	Shupnik,
Breth,	Isaacs,	Mills,	Silverman,
Buchanan,	Jenkins,	Muldowney,	Snider,
Burns,	Jim,	Mullen,	Stank,
Capano,	Johnson, A. W.,	Munley,	Stewart,
Capitolo,	Johnson, R.,	Murphy, A. J., Jr.	Stone,
Clanfrani,	Jones, F. R.,	Murray, J. J.,	Strausser,
Cioffi,	Jones, T. H. W.,	Musto,	Taylor,
Clarke,	Jump,	Naugle,	Trusio,
Comer,	Kamyk,	Needham,	Ujobal,
Crossin,	Kee,	Nelson,	Varallo,
Curwood,	Kernaghan,	O'Dell,	Varnier,
Dengler,	Kessler,	O'Donnell, J. A.,	Verona,
Devlin,	Knecht,	O'Donnell, J. P.	Wall,
Donahue,	Kooker,	Odorisio,	Walsh,
Dougherty,	Kornick,	O'Neil,	Wargo,
Eilberg,	Kovolenko,	Parlante,	Welsh,
Eshback,	Kubitsky,	Pashley,	Wescott,
Eshleman,	Lamb,	Perry, H. H.,	Wheeler,
Farabaugh,	Lee, A. M.,	Perry, P. E.,	Whittaker,
Filo,	Lee, K. B.,	Petrosky,	Williams, A. D., Jr.,
Fineman,	Leonard,	Polaski,	Williams, E. S.,
Floyd,	Limper,	Polen,	Willard,
Flynn,	Lopresti,	Prendergast,	Wilt,
Foerster,	Lutty,	Price,	Worley,
Fox,	McCandless,	Reibman,	Yetter,
Frank,	McCann,	Reidenbach,	Andrews,
Frascella,	McCormack,	Renwick,	Speaker

#### NAYS—34

Barton,	George,	Light,	Stimmel,
Bowman,	Goodrich,	Lippincott,	Stoner,
Brenninger,	Gramlich,	Murphy, P. J.,	Stroup,
Davis,	Helm,	Murray, H. P.,	Tompkins,
Dennison,	Hocker,	Murray, P. G.,	Willaredt,
Down,	Holliday,	Ogilvie,	Wood,
Edwards,	Horst,	Pursley,	Wynd,
Ewing,	Kelser,	Steckel,	Zimmerman,
Fetterolf,			

#### NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, not counting the present bill on the calendar, we have 18 more bills. We were going to break at 1:00 o'clock for lunch, but I wonder if it wouldn't be more agreeable to the House to proceed right on at a rapid pace. We can be done here within the hour.

The SPEAKER pro tempore. The business of the day will proceed. There will be no break for lunch. Let's move lively.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2027, entitled:

An Act amending "The Insurance Unfair Practices Act" approved June 5, 1947 (P. L. 445) prohibiting rates based on fictitious grouping of risks and further defining the applicability of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—181

Agnew,	Frascella,	McCormack,	Riley,
Anderson,	Fulmer,	McDonald,	Rovansek,
Arlene,	Galley,	McKeever,	Royer,
Auker,	Gallagher,	McLaughlin,	Rudisill,
Balthaser,	Gelfand,	Machmer,	Scarcell,
Barton,	George,	Magee,	Schaaf,
Blair,	Gibb,	Mahan,	Schuster,
Boles,	Goldstein,	Markley,	Schwartz,
Bonner,	Goodrich,	Maxwell,	Seltzer,
Boris,	Gramlich,	Meholchick,	Sherman,
Bower,	Guthrie,	Mihm,	Shupnik,
Bowman,	Hamilton,	Miller, B. Z.,	Silverman,
Branca,	Heffner,	Mills,	Snider,
Brenninger,	Helm,	Muldowney,	Stank,
Breth,	Henzel,	Mullen,	Steckel,
Buchanan,	Hocker,	Munley,	Stewart,
Burns,	Holliday,	Murphy, A. J., Jr.	Stimmel,
Capano,	Holt,	Murphy, P. J.,	Stone,
Capitolo,	Irlis,	Murray, H. P.,	Stoner,
Clanfrani,	Isaacs,	Murray, J. J.,	Strausser,
Cioffi,	Jenkins,	Murray, P. G.,	Stroup,
Clarke,	Jim,	Musto,	Taylor,
Comer,	Johnson, A. W.,	Naugle,	Tompkins,
Crossin,	Johnson, R.,	Needham,	Trusio,
Curwood,	Jones, F. R.,	Nelson,	Ujobal,
Davis,	Jones, T. H. W.,	O'Dell,	Varallo,
Dengler,	Jump,	O'Donnell, J. A.,	Varnier,
Dennison,	Kamyk,	O'Donnell, J. P.	Verona,
Devlin,	Kee,	Odorisio,	Wall,
Donahue,	Kelser,	Ogilvie,	Walsh,
Dougherty,	Kernaghan,	O'Neil,	Wargo,
Down,	Kessler,	Parlante,	Welsh,
Edwards,	Knecht,	Pashley,	Wescott,
Eilberg,	Kooker,	Perry, H. H.,	Wheeler,
Eshback,	Kornick,	Perry, P. E.,	Whittaker,
Eshleman,	Kovolenko,	Petrosky,	Willard,
Ewing,	Kubitsky,	Polaski,	Willaredt,
Farabaugh,	Lamb,	Polen,	Wilt,
Fetterolf,	Lee, A. M.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Light,	Pursley,	Wynd,
Floyd,	Limper,	Reibman,	Yetter,
Flynn,	Lippincott,	Reidenbach,	Zimmerman,
Foerster,	Lopresti,	Renwick,	Andrews,
Fox,	Lutty,		Speaker
Frank,	McCann,		

## NAYS—7

Bell, Horst,	Lee, K. B., McCandless,	Merry, Williams, A.D., Jr.,	Williams, E. S.,
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## NOT VOTING—20

Ashton, Brown, Cooper, Dennis, Donaldson,	Garlock, Heavy, Korns, Luigard, McInroy,	Miller, H. G., Monroe, Moran, Sakulsky, Snare,	Stevens, Sullivan, Thompson, Weldner, Yatron,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2034, entitled:

An Act amending the act of June 1, 1915 (P. L. 661) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth \* \* \*" further defining the liability of relatives and estates by the entireties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—180

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Blair, Boles, Bonner, Boris, Bower, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennis, Devlin, Donahue, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Fulmer, Gailey, Gallagher, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Hefner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Lutty, McCandless,	McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Rigby, Riley, Rovasek, Royer, Rudisill, Scarcelll, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmell, Stone, Stoner, Strausser, Stroup, Taylor, Trusio, Ujobal, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yetter, Zimmerman, Andrews,
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Speaker

## NAYS—8

Bell, Bowman,	Dengler, Kernaghan,	Lippincott, Murray, P. G.,	Stroup, Tompkins,
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## NOT VOTING—20

Ashton, Brown, Cooper, Dennis, Donaldson,	Garlock, Heavy, Korns, Luigard, McInroy,	Miller, H. G., Monroe, Moran, Sakulsky, Snare,	Stevens, Sullivan, Thompson, Weldner, Yatron,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2070, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) authorizing the Department of Public Welfare to support and foster community clinics and agencies for the treatment of the mentally ill and defective.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Devlin, Donahue, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Gailey, Gallagher, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Hefner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lutty, Frank,	McCandless, McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick,	Rigby, Riley, Rovasek, Royer, Rudisill, Scarcelll, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmell, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yetter, Zimmerman, Andrews,
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Speaker



## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2072, entitled:

An Act amending the act of May 18, 1937 (P. L. 654) entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed \* \* \* requiring employers to furnish personal protective devices free of charge.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—157

Agnew,	Fulmer,	McCormack,	Riley,
Anderson,	Galley,	McDonald,	Rovanse,
Arlene,	Gallagher,	McKeever,	Roy,
Auker,	Gelfand,	McLaughlin,	Rudisill,
Balthaser,	George,	Machmer,	Scarcelli,
Barton,	Gibb,	Magee,	Schaaf,
Bell,	Goldstein,	Mahan,	Schuster,
Blair,	Goodrich,	Markley,	Schwartz,
Boles,	Guthrie,	Maxwell,	Seltzer,
Bonner,	Hamilton,	Meholchick,	Sherman,
Boris,	Heffner,	Mihm,	Shupnik,
Bower,	Helm,	Mills,	Silverman,
Branca,	Hocker,	Muldowney,	Snider,
Breth,	Holliday,	Mullen,	Stank,
Buchanan,	Holt,	Munley,	Steckel,
Burns,	Horst,	Murphy, A. J., Jr.	Stewart,
Capano,	Irvins,	Murphy, P. J.,	Stimmel,
Capitolo,	Jenkins,	Murray, J. J.,	Stone,
Cianfrani,	Jim,	Murray, P. G.,	Taylor,
Cioffi,	Johnson, A. W.,	Musto,	Tompkins,
Clarke,	Jones, F. R.,	Naugle,	Trusio,
Comer,	Jones, T. H. W.,	Needham,	Ujobai,
Crossin,	Jump,	Nelson,	Varallo,
Curwood,	Kamyk,	O'Dell,	Varner,
Dennison,	Keiser,	O'Donnell, J. A.,	Verona,
Devlin,	Kessler,	O'Donnell, J. P.	Wall,
Donahue,	Knecht,	O'Neill,	Walsh,
Dougherty,	Kooker,	Parlante,	Welsh,
Edwards,	Kornick,	Pashley,	Wescott,
Eilberg,	Kovolenko,	Perry, H. H.,	Wheeler,
Eshback,	Kubitsky,	Perry, P. E.,	Whittaker,
Farabaugh,	Lamb,	Petrosky,	Willard,
Filo,	Lee, K. B.,	Polaski,	Williams, A. D., Jr.,
Fineman,	Leonard,	Polen,	Williams, E. S.,
Floyd,	Light,	Prendergast,	Willaredt,
Flynn,	Limper,	Reibman,	Wilt,
Foerster,	Lopresti,	Reidenbach,	Wood,
Fox,	Lutty,	Renwick,	Worley,
Frank,	McCandless,	Rigby,	Wynd,
Frascella,	McCann,		Yetter,
			Zimmerman,
			Andrews,
			Speaker

## NAYS—31

Bowman,	Gramlich,	Merry,	Stoner,
Brenninger,	Henzel,	Miller, B. Z.,	Strausser,
Davis,	Isaacs,	Murray, H. P.,	Stroup,
Dengler,	Johnson, R.,	Odorisio,	Wall,
Down,	Kee,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Price,	Willaredt,
Ewing,	Lee, A. M.,	Pursley,	Wynd,
Fetterolf,	Lippincott,	Seltzer,	

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903) providing for promotions for certain persons.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovanse,
Auker,	Gallagher,	McDonald,	Roy,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcelli,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irvins,	Murphy, P. J.,	Stoner,
Cianfrani,	Isaacs,	Murray, H. P.,	Strausser,
Cioffi,	Jenkins,	Murray, J. J.,	Stroup,
Clarke,	Jim,	Murray, P. G.,	Taylor,
Comer,	Johnson, A. W.,	Musto,	Tompkins,
Crossin,	Johnson, R.,	Naugle,	Trusio,
Curwood,	Jones, F. R.,	Needham,	Ujobai,
Davis,	Jones, T. H. W.,	Nelson,	Varallo,
Dengler,	Jump,	O'Dell,	Varner,
Dennison,	Kamyk,	O'Donnell, J. A.,	Verona,
Devlin,	Kee,	O'Donnell, J. P.	Wall,
Donahue,	Keiser,	Odorisio,	Walsh,
Dougherty,	Kernaghan,	Ogilvie,	Welsh,
Down,	Kessler,	O'Neil,	Wescott,
Edwards,	Knecht,	Parlante,	Wheeler,
Eilberg,	Kooker,	Pashley,	Whittaker,
Eshback,	Kornick,	Perry, H. H.,	Willard,
Eshleman,	Kovolenko,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Petrosky,	Williams, E. S.,
Farabaugh,	Lamb,	Polaski,	Willaredt,
Filo,	Lee, A. M.,	Polen,	Wilt,
Fineman,	Lee, K. B.,	Prendergast,	Wood,
Floyd,	Leonard,	Price,	Worley,
Flynn,	Light,	Pursley,	Wynd,
Foerster,	Limper,	Reibman,	Yetter,
Fox,	Lippincott,	Reidenbach,	Zimmerman,
Frank,	Lopresti,	Renwick,	Andrews,
	Lutty,		Speaker

## NAYS—2

Murphy, A. J., Jr. Wargo,

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection

House Bill No. 2090, Printer's No. 1118; was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved Sept. 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quality to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for National Education.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Anderson,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovansek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcelli,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Isaacs,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobai,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varner,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Keiser,	O'Donnell, J. P.	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Oglvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Anderson,

Speaker

### NAYS—0

### NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2110, entitled:

An Act authorizing the Dept of Property and Supplies with the approval of the Governor to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute Philadelphia Pa.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Frascella,	McCandless,	Rigby,
Andrews,	Fulmer,	McCann,	Riley,
Arlene,	Galley,	McCormack,	Rovansek,
Auker,	Gallagher,	McDonald,	Royer,
Balthaser,	Gelfand,	McKeever,	Rudisill,
Barton,	George,	McLaughlin,	Scarcelli,
Bell,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Boles,	Goodrich,	Mahan,	Schwartz,
Bonner,	Gramlich,	Markley,	Seltzer,
Boris,	Guthrie,	Maxwell,	Sherman,
Bower,	Hamilton,	Meholchick,	Shupnik,
Bowman,	Heffner,	Merry,	Silverman,
Branca,	Helm,	Mihm,	Snider,
Brenninger,	Henzel,	Miller, B. Z.,	Stank,
Breth,	Hocker,	Mills,	Steckel,
Buchanan,	Holliday,	Muldowney,	Stewart,
Burns,	Holt,	Mullen,	Stimmel,
Capano,	Horst,	Munley,	Stone,
Capitolo,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Irviss,	Murphy, P. J.,	Strausser,
Cioffi,	Jenkins,	Murray, H. P.,	Stroup,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Crossin,	Johnson, R.,	Musto,	Trusio,
Curwood,	Jones, F. R.,	Naugle,	Ujobai,
Davis,	Jones, T. H. W.,	Needham,	Varallo,
Dengler,	Jump,	Nelson,	Varner,
Dennison,	Kamyk,	O'Dell,	Verona,
Devlin,	Kee,	O'Donnell, J. A.,	Wall,
Donahue,	Keiser,	O'Donnell, J. P.	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Oglvie,	Welsh,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Whittaker,
Eshleman,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lamb,	Petrosky,	Willard,
Fetterolf,	Lee, A. M.,	Polaski,	Willaredt,
Filo,	Lee, K. B.,	Polen,	Wilt,
Fineman,	Leonard,	Prendergast,	Wood,
Floyd,	Light,	Price,	Worley,
Flynn,	Limper,	Pursley,	Wynd,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lutty,	Renwick,	Anderson,

Speaker

### NAYS—0



## NOT VOTING—20

Ashton, Brown, Cooper, Dennis, Donaldson,	Garlock, Heavey, Korns, Luigard, McInroy,	Miller, H. G., Monroe, Moran, Sakulsky, Snare,	Stevens, Sullivan, Thompson, Weidner, Yatron,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 2120, Printer's No. 1400;

House Bill No. 2146, Printer's No. 1329;

were passed over at the request of the **SPEAKER** pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2172, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Brulca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Curwood, Crossin, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper,	McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley,	Riley, Rovanssek, Royer, Rudisill, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd,
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Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,

Lippincott,  
Lopresti,  
Lutty,  
McCandless,

Reibman,  
Reidenbach,  
Renwick,  
Rigby,

Yetter,  
Zimmerman,  
Andrews,  
Speaker

## NAYS—0

## NOT VOTING—20

Ashton,  
Brown,  
Cooper,  
Dennis,  
Donaldson,

Garlock,  
Heavey,  
Korns,  
Luigard,  
McInroy,

Miller, H. G.,  
Monroe,  
Moran,  
Sakulsky,  
Snare,

Stevens,  
Sullivan,  
Thompson,  
Weidner,  
Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2203, entitled:

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) permitting reciprocal licensure of foreign applicants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Fulmer, Galley, Gallagher, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lutty, McCandless,	McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Riley, Rovanssek, Royer, Rudisill, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd,
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## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2216, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boies,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irviss,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobai,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lippincott,	Reidenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Andrews,
Fox,	Lutty,	Zimmerman,	Speaker
Frank,	McCandless,	Rigby,	
Frascella,			

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2259, entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year and providing for registration fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boies,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irviss,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobai,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A.D., Jr.
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Pursley,	Worley,
Floyd,	Limper,	Reibman,	Wynd,
Flynn,	Lippincott,	Reidenbach,	Yetter,
Foerster,	Lopresti,	Renwick,	Andrews,
Fox,	Lutty,	Zimmerman,	Speaker
Frank,	McCandless,	Rigby,	
Frascella,			

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2288, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) making the levying of a tax on salaries professions trades and occupations and persons who follow no occupation or calling optional in counties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Gailey,	McCormack,	Rovanssek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irvls,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujober,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Kelser,	O'Donnell, J. P.,	Walsh,
Donahue,	Kernaghan,	Odoriso,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Eilberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker
Frascella,			

#### NAYS—0

#### NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korna,	Moran,	Thompson,
Dennis,	Luigard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2291, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the sale of starter pistols to minors.

On the question,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will Mr. Gelfand permit himself to be interrogated?

Mr. GELFAND. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, in looking this bill over in the last minute or so, I noticed that it prohibits carrying or furnishing starter pistols to any person under the age of 18. Would this mean that you could not give a starter pistol to a 17-year-old boy, for example, to use to start a track meet?

Mr. GELFAND. Mr. Speaker, the purpose of the bill is to prohibit the transmission of a starter pistol to a juvenile who could thereafter utilize said pistol by converting it into a lethal weapon by merely cutting off the barrel, opening up the chamber facing the barrel and utilizing 22-caliber cartridges for the purpose of making a weapon. The purpose is not to restrain or refrain the use of a starter pistol for purposes of starting a race.

Mr. LIPPINCOTT. Mr. Speaker, I appreciate the purpose of the bill is probably good, but I suggest that it should be amended to eliminate the prohibition that I mentioned because I think as the bill is read it would clearly prohibit using these starter pistols in the proper way at a track meet or another contest.

I would request that it be passed over so that such an amendment could be inserted.

Mr. GELFAND. Mr. Speaker, I have no objection to having the bill paced on the postponed calendar for purposes of such an amendment, and if Mr. Lippincott desires to create the amendment, I will — — —

The SPEAKER pro tempore. Does the Chair hear a motion to place this bill on the third reading postponed calendar?

On the question recurring,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

Mr. LIPPINCOTT. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2303, entitled:

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60) including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irvs,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobal,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Eilberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker
Frascella,			

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korna,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth \* \* \* \* \* including reimbursement to county institution districts for the care of mentally defective

children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Heffner,	Merry,	Silverman,
Bowman,	Helm,	Mihm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Holliday,	Mills,	Steckel,
Breth,	Hocker,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irvs,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobal,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varner,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Eilberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Filo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker
Frascella,			

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korna,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weldner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2318, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) permitting council to appeal from findings of the Civil Service Commission.

And said bill having been read at length the third time, considered and agreed to.



On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew,	Fulmer,	McCann,	Riley,
Anderson,	Galley,	McCormack,	Rovansek,
Arlene,	Gallagher,	McDonald,	Royer,
Auker,	Gelfand,	McKeever,	Rudisill,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Bell,	Goldstein,	Magee,	Schuster,
Blair,	Goodrich,	Mahan,	Schwartz,
Boles,	Gramlich,	Markley,	Seltzer,
Bonner,	Guthrie,	Maxwell,	Sherman,
Boris,	Hamilton,	Meholchick,	Shupnik,
Bower,	Hefner,	Merry,	Silverman,
Bowman,	Helm,	Milhm,	Snider,
Branca,	Henzel,	Miller, B. Z.,	Stank,
Brenninger,	Hocker,	Mills,	Steckel,
Breth,	Holliday,	Muldowney,	Stewart,
Buchanan,	Holt,	Mullen,	Stimmel,
Burns,	Horst,	Munley,	Stone,
Capano,	Irvls,	Murphy, A. J., Jr.	Stoner,
Capitolo,	Isaacs,	Murphy, P. J.,	Strausser,
Cianfrani,	Jenkins,	Murray, H. P.,	Stroup,
Cioffi,	Jim,	Murray, J. J.,	Taylor,
Clarke,	Johnson, A. W.,	Murray, P. G.,	Tompkins,
Comer,	Johnson, R.,	Musto,	Trusio,
Crossin,	Jones, F. R.,	Naugle,	Ujobal,
Curwood,	Jones, T. H. W.,	Needham,	Varallo,
Davis,	Jump,	Nelson,	Varnier,
Dengler,	Kamyk,	O'Dell,	Verona,
Dennison,	Kee,	O'Donnell, J. A.,	Wall,
Devlin,	Keiser,	O'Donnell, J. P.	Walsh,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Dougherty,	Kessler,	Ogilvie,	Welsh,
Down,	Knecht,	O'Neil,	Wescott,
Edwards,	Kooker,	Parlante,	Wheeler,
Ellberg,	Kornick,	Pashley,	Whittaker,
Eshback,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lamb,	Petrosky,	Willard,
Farabaugh,	Lee, A. M.,	Polaski,	Willaredt,
Fetterolf,	Lee, K. B.,	Polen,	Wilt,
Fillo,	Leonard,	Prendergast,	Wood,
Fineman,	Light,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Lutty,	Renwick,	Andrews,
Frank,	McCandless,	Rigby,	Speaker
Frascella,			

## NAYS—0

## NOT VOTING—20

Ashton,	Garlock,	Miller, H. G.,	Stevens,
Brown,	Heavey,	Monroe,	Sullivan,
Cooper,	Korns,	Moran,	Thompson,
Dennis,	Lulgard,	Sakulsky,	Weidner,
Donaldson,	McInroy,	Snare,	Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

Senate Bill No. 65, Printer's No. 65, was passed over at the request of the Speaker pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

On the question,

Will the House agree to the bill on third reading?

Mr. LOPRESTI asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "contracts": "and further regulating checks accompanying bids."

Amend Sec. 1 (Sec. 1901), page 5, line 2, by inserting after "certified": "or cashier's."

Amend Sec. 1 (Sec. 1901), page 5, lines 2 and 3, by inserting a bracket before "drawn" in line 2 and after "Commonwealth" in line 3.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS PASSED OVER

The SPEAKER pro tempore. Without objection, the remaining Senate Bills on third reading on pages 32, 33 and 34 will be passed over.

The Chair hears none.

## BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 263 on page 19 of today's calendar, bills on final passage.

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

## RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "section one."

Amend Sec. 1, page 2, line 1, by striking out "section one."

Amend Sec. 1, page 2, line 2, by inserting after "amended" by adding a new section.

Amend Sec. 1 (Sec. 1), page 2, lines 3 to 19, page 3, lines 1 and 2, by striking out all of said lines, and inserting: "Section 10. Notwithstanding the requirement of uniformity, income taxes on natural persons may be levied and collected under general laws which provide for graduated or graded rate and exemptions, provided the

rate of tax shall not exceed six per cent. An income tax on natural persons, and a general tax on sales or use of personal property shall not be in effect at the same time."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER pro tempore. House Bill 263. The amendments presented were to Printer's No. 1384 and the printer's number on the calendar is 1420.

Mr. McCANN. Mr. Speaker, I think it is about time the Legislative Reference Bureau did the work they are paid to do. That is the same mistake fourteen times in a row. Amendments were drawn by the Director of the Legislative Reference Bureau to House Bill 263, Printer's No. 1420, and if they cannot do it that is who is paid to do it.

The SPEAKER pro tempore. The Chair will instruct the Clerk to correct the amendments so that they will fit the current printer's number.

## BILLS ON SECOND READING

Mr. McCANN asked and obtained unanimous consent to call up bills passed over on the second reading calendar, because they were not in print.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1998, entitled:

An Act amending the act of June 3, 1919 (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection \* \* \*" further providing for the physical examination of applicants.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2161, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing certain signs to be displayed on the top of buildings forming part of the licensed premises of distributors or importing distributors.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel restaurant and club liquor licenses.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCARCELLI offered the following amendments:

Amend Sec. 1 (Sec. 403), page 2, line 5 by inserting after "license", where it appears the second time: "or for the transfer of an existing license to another premises not then licensed."

Amend Sec. 1 (Sec. 403), page 3, line 7 by inserting after "license": "or for the transfer of an existing license to another premises not then licensed."

Amend Sec. 1 (Sec. 403), page 3, line 10 by inserting after "license": "or for the transfer of an existing license to another premises not then licensed."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. SCARCELLI offered the following amendment:

Amend Title, page 2, next to last line of Title, by inserting after "issuance": "or transfer."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) providing for levying assessment and collection of taxes by certain independent school districts.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2292, entitled:

An Act requiring the marking of highways and intersections in the State Highway system and imposing duties on the Department of Highways.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres more or less in three tracts of land situate in Somerset Township Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2335, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employes under Shipping Articles."

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

#### BILLS INTRODUCED AND REFERRED

By Messrs. SHERMAN, GELFAND, SILVERMAN  
and Mrs. REIBMAN. HOUSE BILL No. 2342.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding self service laundry facilities.

Referred to the Committee on Ways and Means.

By Mr. PURSLEY. HOUSE BILL No. 2343.

An Act authorizing Elizabeth M. Fisher and Lester W. Fisher, her husband, citizens of East Buffalo Township, Union County, Pennsylvania, to bring suit in the court of common pleas of Union County, Pennsylvania, against the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary.

By Mrs. VARALLO. HOUSE BILL No. 2344.

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Norristown State Hospital.

Referred to the Committee on Appropriations.

By Mrs. VARALLO. HOUSE BILL No. 2345.

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Philadelphia State Hospital.

Referred to the Committee on Appropriations.

#### SENATE MESSAGE

##### SINE DIE ADJOURNMENT RESOLUTION

The Clerk of the Senate being introduced presented an

extract from the Journal of the Senate, which was read as follows:

In the Senate, August 26, 1959.

Resolved, (the House of Representatives concurring) that this regular session of the General Assembly adjourn Sine-Die on Monday, September 28, 1959 at 12:00 o'clock noon, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

#### SENATE MESSAGE

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1645.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further specifying the time for holding meetings of the Game Commission.

HOUSE BILL No. 1885.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) deleting the limitation on indebtedness for the purpose of erecting a townhouse.

HOUSE BILL No. 1999.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further providing for the trapping of beaver.

With the information that the Senate has passed the same without amendments.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1953.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing that the auditors' report shall be filed by the auditors.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 1065 and 1104.

Amended House Bills returned for concurrence No. 609.

#### ANNOUNCEMENTS

Mr. McCANN. For the information of the Members of the House, we have reached an agreement this morning as to our working schedule for the next two weeks.

Next week, being Monday, August 31st, the House will be in session three days, August 31st, September 1st and September 2nd. The week of September 7th, which is Labor Day week, this House will be in session on Wednesday,

September 9th, and Thursday, September 10th. Labor Day is on the 7th, and this House will be in session on Wednesday, September 9th, and Thursday, September 10th.

Mr. Speaker there will be an important caucus of the Democratic Members in the new house caucus room on Monday, beginning promptly at 2:30, and every Member is asked to be there. All the appropriations will be covered very carefully by the Appropriations Chairman and the caucus will start on scheduled time.

Mr. JOHNSON. Mr. Speaker, I would like to make an announcement with respect to Republican caucus on Monday. We would like to have it start promptly at 2:00

o'clock. There is quite a large calendar and it will take us a full two and a half hours to properly cover it. So we would appreciate all the Members on our side being there promptly at 2:00 o'clock.

#### ADJOURNMENT

Mr. STANK. Mr. Speaker, I move that this House do now adjourn until Monday, August 31, 1959 at 3:30 p. m. E.S.T.

The motion was agreed to, and (at 12:33 p. m. E.S.T.) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, AUGUST 31, 1959.

No. 86.

## SENATE

MONDAY, AUGUST 31, 1959.

The Senate met at 2:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

### PRAYER

The Chaplain, Rev. CARL M. FULTON, Pastor of Fellowship Baptist Church, Harrisburg, offered the following prayer:

Almighty and most merciful God, our dear heavenly Father, we approach Thy holy throne this day, praying Thy holy blessing upon this governing Body, the General Assembly of the Commonwealth of Pennsylvania. We pray that Thou will grant them wisdom and knowledge from on High, to perform the great work that Thou so graciously appointed them to do for our great State. We also pray, our Holy Father, that Thou will bless their families, their homes and the various communities from whence they come. We also pray that Thou will bless each and every one who is within the sound of my voice. Bless and lead them in the way of righteousness, for Thy Holy Name's sake.

We also pray, our Holy Father, that Thou will continue to bless our great State and Nation with peace and prosperity. Holy Father, we thank Thee for Thy goodness and mercy toward us. We also pray that Thou will continue to bring our lives into conformity, to do Thy Holy and everlasting will.

Holy Father, we also wish to pray for the President of the United States, the Governor and Lieutenant-Governor of our Commonwealth of Pennsylvania. We pray that Thou will continue to bless them with good health.

We ask these blessings in the Name of our Strength and Redeemer. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced pre-

sented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Pa., August 31 1959.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

I have the honor to transmit herewith a proposed capital budget for the Commonwealth for the 1959-61 biennium. You will also find included in this document a listing of projects which the various departments and State-aided agencies would like to have future legislatures consider.

As you know, such a document as this is unprecedented in Pennsylvania. It seems to me, as I am sure it must to the Members of the General Assembly, that it is essential for the Commonwealth to develop a planned program of capital improvements. This budget, prepared by the Office of Administration in coordination with the staff of the State Planning Board and with departmental officials, is, in my opinion, an important and valuable first step toward such comprehensive planning.

In transmitting it to you, I want to make several observations.

First, it is important to emphasize that if the Legislature implements this program through additional borrowing authorization to the General State Authority, there will not be need for additional operating funds for the GSA in this biennium beyond those called for in the General Fund Budget.

Secondly, this document merely lists requests from State-aided colleges and universities, but does not make specific recommendations. In the instance of Pennsylvania State University there is a recommendation that \$9,823,500 be allocated. Since past legislatures have already established the precedent for capital expenditures by the State at these institutions, I believe that their requests should be given sympathetic consideration.

Therefore, I recommend that \$6,995,000 be provided the University of Pennsylvania to construct a social science center and a veterinary research and instruction building. For Temple University, I would suggest provision of funds totaling \$6,742,900 for a chemistry building, a biology-life science building, and a central heating plant. At the University of Pittsburgh, the most pressing need is for a basic library unit, including undergraduate and reference libraries, which will cost \$7 million. At Lincoln University, I would recommend inclusion of funds to construct a new boiler plant and shops and to build a dining hall. This amounts to \$1,181,000.

It is obvious that these recommendations fall far short of the requests of these institutions. However, this same factor applies to all other agencies for which recommendations are made in this capital budget. It is apparent that there is a considerable backlog of projects demanding attention in the immediate future. The work which is recommended in this document is that which is the most urgent; it is not, by any means, the total which could be legitimately supported. However, it is the opinion of those who laboriously drew up this budget that urgency must



have priority over mere desirability. I cannot disagree with this conclusion.

I trust that the Members of the General Assembly will find this budget informative and constructive and that, after careful review of its recommendations, appropriate legislation will be enacted to implement it.

DAVID L. LAWRENCE.

The PRESIDENT. The Governor's Message, together with copies of the Capital Budget for the Commonwealth for the 1959-61 biennium, have been placed on the desk of each Senator.

## NOMINATIONS BY THE GOVERNOR

### REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### MEMBER OF THE ELK COUNTY BOARD OF ASSISTANCE

August 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Summerville (Republican), 413 Smith Street, Ridgway, Elk County, for appointment as a member of the Elk County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice John W. Deegan, Ridgway, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

August 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Norman P. Casher, Cresson, Cambria County, for reappointment as a member of the State Board of Funeral Directors, until August 31, 1964, or until his successor is appointed and qualified.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

August 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank S. Holowach, Meadville Road, Titusville, Crawford County, for reappointment as a member of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 38, 41, 148, 173, 371, 372, 485, 486, 487, 637, 772, 811, 833 and 968.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 38, Printer's No. 38, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'The Second Class Township Code' authorizing appropriations for handling storage and distribution of surplus foods."

DAVID L. LAWRENCE.

August 28, 1959

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 41, Printer's No. 41, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) entitled 'The First Class Township Code' authorizing appropriations for handling storage and distribution of surplus foods."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 148, Printer's No. 955, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' CHANGING the limitation on appropriations which may be made for agricultural extension work."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 173, Printer's No. 187, entitled "An Act amending the act of April 25, 1929 (P. L. 723) entitled 'An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government' increasing the investment powers of State administrative departments boards commissions or officers."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 371, Printer's No. 854, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' increasing the amount of salary compensation or emolument which may be paid without prior vote of the board of directors."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 372, Printer's No. 399, entitled "An Act amending the act of May 17, 1921 (P. L. 682), entitled 'The Insurance Company Law of 1921' providing for deferment of payment of a portion of the salary of officers or employees for more than twelve months."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 485, Printer's No. 911, entitled "An Act amending the act of June 4, 1937 (P. L. 1625) entitled 'An act providing for the creation maintenance and operation of a county employees retirement sys-

tem in counties of the third class and imposing certain charges on counties' defining 'county employe' providing a service allowance for certain per diem employes further providing for a superannuation retirement allowance increasing the period of time during which a contributor may be reinstated and limiting the exception or execution."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 486, Printer's No. 912, entitled "An Act amending the act of July 8, 1941 (P. L. 298) entitled 'Fourth Class County Retirement Law' defining 'county employe' setting the time for designating a beneficiary increasing the period of time during which a contributor may be reinstated increasing the total disability retirement allowance and limiting the exemption on execution."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 487, Printer's No. 913, entitled "An Act amending the act of August 5, 1941 (P. L. 803) entitled as amended 'An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class imposing certain charges on counties and prescribing penalties' defining 'COUNTY EMPLOYE' 'Original Member' and 'New Member' providing for compulsory membership and the method of making monthly payments increasing the period of time during which a contributor may be reinstated and limiting the exemption on execution."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 637, Printer's No. 689, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' increasing the amount the commissioners may spend in contracts without written bids."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 772, Printer's No. 969, entitled "An Act amending the act of July 28, 1953 (P. L. 723) entitled 'Second Class County Code' increasing the limitations on appropriations which may be made for agricultural extension work."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 811, Printer's No. 937, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing for the membership of county board of school directors."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 833, Printer's No.

1073, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' providing for the selection of supervising principals of joint organizations of school districts."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 968, Printer's No. 1108, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' authorizing the sale of newspapers on Sunday."

DAVID L. LAWRENCE.

## BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 175, Printer's No. 189;  
Senate Bill No. 328, Printer's No. 1199;  
House Bill No. 354, Printer's No. 1069;  
Senate Bill No. 474, Printer's No. 508;  
Senate Bill No. 475, Printer's No. 509;  
Senate Bill No. 476, Printer's No. 1024;  
Senate Bill No. 480, Printer's No. 514;  
Senate Bill No. 481, Printer's No. 515;  
Senate Bill No. 482, Printer's No. 516;  
Senate Bill No. 483, Printer's No. 517;  
Senate Bill No. 484, Printer's No. 518;  
Senate Bill No. 587, Printer's No. 634;  
Senate Bill No. 685, Printer's No. 746;  
House Bill No. 705, Printer's No. 315;  
House Bill No. 706, Printer's No. 333;  
Senate Bill No. 815, Printer's No. 941;  
Senate Bill No. 831, Printer's No. 1009;  
House Bill No. 846, Printer's No. 1140;  
House Bill No. 847, Printer's No. 1001;  
Senate Bill No. 857, Printer's No. 996;  
Senate Bill No. 935, Printer's No. 1307;  
House Bill No. 982, Printer's No. 1038;  
House Bill No. 1077, Printer's No. 756;  
House Bill No. 1129, Printer's No. 1249;  
House Bill No. 1427, Printer's No. 1365;  
House Bill No. 1448, Printer's No. 575;  
House Bill No. 1731, Printer's No. 1132;  
House Bill No. 1816, Printer's No. 1152;  
House Bill No. 1822, Printer's No. 1134;  
House Bill No. 1953, Printer's No. 1011;  
House Bill No. 2009, Printer's No. 1015; and  
House Bill No. 2121, Printer's No. 1216.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 2303, entitled:

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60) including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

Which was committed to the Committee on Appropriations.



House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A), entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriations Acts page 60) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth \* \* \* ' including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

Which was committed to the Committee on Appropriations.

House Bill No. 790, entitled:

An Act requiring employers to pay for medical examination fee where such examination is a condition for employment.

Which was committed to the Committee on Rules.

House Bill No. 802, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Which was committed to the Committee on Rules.

House Bill No. 910, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the computation and payment of tuition charges for non-resident pupils.

Which was committed to the Committee on Rules.

House Bill No. 958, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), including costs of grading and interests thereon in computing reimbursable rentals.

Which was committed to the Committee on Rules.

House Bill No. 1054, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating membership and compensation of the State Board of Barber Examiners and imposing duties on the board.

Which was committed to the Committee on Rules.

House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death or presumed death; \* \* \*

Which was committed to the Committee on Rules.

House Bill No. 1344, entitled:

An Act repealing the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed, agreement of sale, title insurance policy, or other instrument in writing, \* \* \*

Which was committed to the Committee on Rules.

House Bill No. 1554, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth, to prescribe rules and regulations for the conduct of any general business, either civil or criminal, by judges of any court of record; . . ." authorizing the Supreme Court of Pennsylvania to make rules for the orphans' courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

Which was committed to the Committee on Rules.

House Bill No. 1608, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare; abolishing certain existing boards, councils, commissions and committees; transferring powers from the State Council for the Blind to the Department of Public Welfare; and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

Which was committed to the Committee on Rules.

House Bill No. 1637, entitled:

An Act amending the "Magistrates' Fee Bill of Cities of the First Class," approved July 13, 1953 (P. L. 447), by providing for additional costs upon summary conviction after warrant is issued in motor vehicles cases.

Which was committed to the Committee on Rules.

House Bill No. 1639, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923 (P. L. 207), extending the term of the lien of certain municipal claims, the period for filing of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to twenty years.

Which was committed to the Committee on Rules.

House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax, . . . not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed, under certain terms and conditions.

Which was committed to the Committee on Rules.

House Bill No. 1893, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing that the additional examination required for school bus operators shall also apply to operators of buses subject to the jurisdiction of the Pennsylvania Public Utility Commission which carry school children.

Which was committed to the Committee on Rules.

House Bill No. 1907, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying the provisions relating to shooting across or at wild birds or animals on highways.

Which was committed to the Committee on Rules.

House Bill No. 1909, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the provisions relating to trapping by nonresidents.

Which was committed to the Committee on Rules.

House Bill No. 1911, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing time when license tag must be displayed.

Which was committed to the Committee on Rules.

House Bill No. 1912, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), removing provisions relating to archery preserves.

Which was committed to the Committee on Rules.

House Bill No. 1944, entitled:

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by the employers; \* \* \*," concerning minimum wages, providing for a minimum wage for employes in this Commonwealth supplementary minimum wages, defining the powers and duties of the Department of Labor and Industry and providing penalties.

Which was committed to the Committee on Rules.

House Bill No. 1984, entitled:

An Act relating to the payment of wages or compensation for labor or services in private employment; providing for regular pay days; conferring powers and duties upon the Department of Labor and Industry, including powers and duties with respect to the civil collection of wages; \* \* \*.

Which was committed to the Committee on Rules.

House Bill No. 2027, entitled:

An Act amending "The Insurance Unfair Practices Act," approved June 5, 1947 (P. L. 445), prohibiting rates based on fictitious grouping of risks and further defining the applicability of the act.

Which was committed to the Committee on Rules.

House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," changing the procedures for the handling of patients' funds.

Which was committed to the Committee on Rules.

House Bill No. 2034, entitled:

An Act amending the act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; \* \* \*" further defining the liability of relatives and estates by the entireties.

Which was committed to the Committee on Rules.

House Bill No. 2070, entitled:

An Act amending "The Mental Health Act of 1951" ap-

proved June 12, 1951, (P. L. 533), authorizing the Department of Public Welfare to support and foster community clinics and agencies for the treatment of the mentally ill and defective.

Which was committed to the Committee on Rules.

House Bill No. 2072, entitled:

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; \* \* \*" requiring employers to furnish personal protective devices free of charge.

Which was committed to the Committee on Rules.

House Bill No. 2075, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain persons.

Which was committed to the Committee on Rules.

House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958, concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs; and conferring powers and imposing duties on the State Treasurer, the State Council of Education and the State Board for National Education.

Which was committed to the Committee on Rules.

House Bill No. 2110, entitled:

An Act authorizing the Department of Property and supplies, with the approval of the Governor, to sell and convey that certain lot or tract of ground known as the Superintendent's Residence at the Eastern Psychiatric Institute, Philadelphia, Pa.

Which was committed to the Committee on Rules.

House Bill No. 2172, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), deleting the provisions requiring school districts to advertise for proposals on plans and specifications for certain projects.

Which was committed to the Committee on Rules.

House Bill No. 2203, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), permitting reciprocal licensure of foreign applicants.

Which was committed to the Committee on Rules.

House Bill No. 2216, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), authorizing the Authority to sell bonds at private sale when no bid is received which complies with the terms and conditions contained in the advertisement for public sale.

Which was committed to the Committee on Rules.

House Bill No. 2259, entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year; and providing for registration fees.

Which was committed to the Committee on Rules.



House Bill No. 2288, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), making the levying of a tax on salaries, professions, trades and occupations and persons who follow no occupation or calling optional in counties.

Which was committed to the Committee on Rules.

House Bill No. 2318, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), permitting council to appeal from findings of the Civil Service Commission.

Which was committed to the Committee on Rules.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

### MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Ashland State Hospital, from June 21, 1957, for the term of four years, and until their successors are appointed and qualified:

Joseph A. Paulosky, Minersville, Schuylkill County.  
Al R. Callaghan, Heckscherville, Schuylkill County.  
Joseph O'Haren, Shenandoah, Schuylkill County.  
John B. Rich, Pottsville, Schuylkill County.  
Franklin P. Diehl, Hegins, Schuylkill County.  
Joseph F. Hinchey, Jr., Centralia, Columbia County.  
Joseph Land, Minersville, Schuylkill County.

DAVID L. LAWRENCE.

## BILLS INTRODUCED AND REFERRED

Mr. FLEMING (By request) read in his place and presented to the Chair Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the composition of the return board.

Which was committed to the Committee on Rules.

Messrs. PECHAN, WADE and STEIFEL read in place and presented to the Chair Senate Bill No. 1122, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the placing of blood type and Rh factor on operator's license card.

Which was committed to the Committee on Rules.

Messrs. PROPERT and WATKINS read in place and presented to the Chair Senate Bill No. 1123, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," permitting school districts to examine certain records and data of the board and requiring the board to supply certain information to school districts.

Which was committed to the Committee on Rules.

Messrs. KROMER and PECHAN read in place and presented to the Chair Senate Bill No. 1124, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," increasing the borrowing capacity of the Authority and allocating the proceeds thereof for construction at Indiana State Teachers' College.

Which was committed to the Committee on Rules.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 1125, entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled "Funeral Director Law," authorizing certain employes to assist in the preparation and emblaming of bodies of deceased persons.

Which was committed to the Committee on Rules.

Mr. KELLER read in his place and presented to the Chair Senate Bill No. 1126, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," changing a route in Bucks County.

Which was committed to the Committee on Rules.

## PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, in Pennsylvania today, the bill which I am about to introduce will affect 125,000 steelworkers and their families. As the 125,000 steelworkers are standing in line today, waiting for powdered milk, dried eggs and corn meal, and while billions of dollars go overseas for foreign aid, paid by the United States tax dollars, in the State of New York, a neighboring State, the steelworkers today are standing in line and are about to receive \$45 per week as unemployment compensation, after a seven-week waiting period.

Mr. President, I do not know what the newspapers are going to say about this bill tomorrow; whether or not this is going to be another addition to a welfare State. However, I remember when I was thirteen years of age, in 1938, this same law was introduced and the same comments were made: "What are we turning this State into, a welfare State?" I do not think we are turning it into a welfare State, Mr. President. I think we are alleviating the financial hardships, during a tiring period of unemployment in Pennsylvania.

I sincerely hope that the Members of this Senate will report this bill out of committee as soon as possible, in order to alleviate the hardships of the striking steelworkers in Pennsylvania.

## BILLS INTRODUCED AND REFERRED

Mr. ROONEY read in his place and presented to the Chair Senate Bill No. 1127, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," providing benefits after a seven-week waiting period for employes involved in a stoppage of work because of a labor dispute.

Which was committed to the Committee on Rules.



Mr. HAYS read in his place and presented to the Chair Senate Bill No. 1128, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payments by the Commonwealth of approved vocational extension classes in young farmer training.

Which was committed to the Committee on Rules.

He also read in his place and presented to the Chair Senate Bill No. 1129, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for payments on account of agricultural education.

Which was committed to the Committee on Rules.

Messrs. STIEFEL and CAMIEL read in place and presented to the Chair Senate Bill No. 1130, entitled:

An Act making an appropriation to the Trustees of Hahnemann Medical College and Hospital of Philadelphia towards the maintenance of a school of medicine.

Which was committed to the Committee on Appropriations.

### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this resolution, which I am about to offer, deals with a great Pennsylvania, a great State University, a great idea and the Joint State Government Commission.

Last year, when I visited Europe, I was impressed by the tremendous progress made in Germany and France in the field of food technology. Yet, we have better facilities, we have finer leadership and we have men who know more about it than the people in France and Germany. It is, therefore, about time that the preservation of food and its nutritional values should find recognition. This can only be accomplished, as they did in Germany and France, by elevating the food industry to the same level as chemistry, engineering and so forth.

For this reason, Mr. President, I am proposing that the Joint State Government Commission should undertake a study concerning the feasibility of establishing in Pennsylvania a college of food technology.

We are especially privileged in having as a great Pennsylvanian, a man of dynamic leadership, a man of ability and a great industrialist, Mr. H. J. Heinz. I do not know Mr. Heinz. I am not connected with him nor do I represent him. However, he has always inspired me by his vision. I feel we can benefit greatly by his wisdom and knowledge.

This resolution, Mr. President, proposes a study of food technology in Pennsylvania, with the aid of the Pennsylvania State University, under the auspices of the Joint State Government Commission.

### SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO UNDERTAKE A STUDY OF PLANS AND MEANS FOR THE ESTABLISHMENT OF A COLLEGE OF FOOD TECHNOLOGY IN PENNSYLVANIA

Messrs. STIEFEL and BARR offered the following

resolution (Serial No. 57), which was read and referred to the Committee on Rules:

In the Senate, August 31, 1959.

The study of food, the abundance or paucity thereof in certain parts of the globe, the curse of its waste and the blessings of its preservation, its nutritional values, the evolution and invention of new products, all offer wider horizons and new challenging frontiers of research and production.

Food engineering is gradually forging to the fore to occupy a position of eminence along mankind's benefactors such as chemical, mechanical, electrical, civil and industrial engineering. Food engineering is the food equivalent of chemical engineering and represents a blend of mechanical engineering and the biological sciences.

Then there is now coming of age food technology. Tidal waves of technical progress are running through the food industry, swept along by fast-paces and improvement in operations and processes. These involve investigation, development and application of cold sterilization, ultrasonics and a host of new in-stream quality control techniques. The coming attainments of food technology are fascinating. Thus, ultrasonic waves may be utilized to mix, homogenize, disperse, extract, precipitate, sterilize or measure food ingredients and products (ultrasonic generators already are used in breweries abroad to obtain greater extraction from hops in brew bottles). To control quality in process, developments are going beyond instruments which regulate such variables as temperature, pressure, flow and level. Acidity, density and crystal state are under automatic control. And even such more subtle factors as color, texture, blend—even odor and taste—will be robotised.

In several European countries, notably in Germany, Food Engineering and Food Technology have been recognized to such an extent that they have been lifted to the levels of college education and Special Food Colleges created therein for that purpose.

As the arsenal of American Democracy and one of the breadbaskets of the free world, Pennsylvania is the locus classicus for the establishment in the United States of the first College of Food Technology. We, in Pennsylvania, are singularly blessed with the outstanding leader in the field of food technology, H. J. Heinz II, the towering Pittsburgh industrialist in whom knowledge, dynamic leadership and vision have combined to form the blend of a creative genius par-excellence.

By combining the research facilities of the Joint State Government Commission with the leadership and experience of H. J. Heinz II, the General Assembly of Pennsylvania is in a position to become the beneficiary of an adequate blueprint for the establishment of a College for Food Technology in Pennsylvania at the opening of its next session.

At the same time the unexcelled resources and facilities of Pennsylvania State University could contribute immensely to the success of the study, both through the participation of its experts and possibly as the locale of the new institution.

Be It Therefore Resolved, That the Joint State Government Commission of Pennsylvania be and it is hereby authorized and directed to form a committee to undertake a study of plans and means for the establishment of a College of Food Technology in Pennsylvania, and be it further

Resolved, That the Joint State Government Commission is hereby authorized to invite H. J. Heinz II to act both as a member and advisor of the committee, and be it further.

Resolved, That the Joint State Government Commission invite experts in the field of food technology to join its aforesaid committee both as members and advisors.

### REQUEST FOR UNANIMOUS CONSENT TO MAKE A BRIEF STATEMENT

Mr. SEYLER. Mr. President, I ask unanimous con-



sent to make a brief statement about a resolution that I am not going to offer.

The PRESIDENT. I though my ears were playing tricks.

Mr. SEYLER. Mr. President, for Senator Berger's benefit, I would like to repeat that I am asking for unanimous consent to make a brief statement about a resolution which I have decided not to offer.

Mr. BERGER. Mr. President, In that case, I would suggest that the gentleman do it under another order of business, because the resolution he is not offering would not be before the Senate.

The PRESIDENT. I believe it would be more proper to take it up under Petitions and Remonstrances.

Mr. SEYLER. Mr. President, would the gentleman prefer me to offer the resolution and then I can speak on it? He could then vote it down. However, that would take more time.

Mr. BERGER. Mr. President, I think that would be more orderly.

#### REQUEST FOR UNANIMOUS CONSENT TO MAKE BRIEF STATEMENT WITHDRAWN

Mr. SEYLER. In that case, Mr. President, I withdraw by request.

#### PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, over the past week end, an item appeared in the Allentown Evening Chronicle from which I would like to quote, for the benefit of the Members of the Senate. It states as follows:

"Demands for a sensational investigation of the State Department of Labor and Industry were voiced today by Allentown school officials.

"They want to know—

"Is there a uniform safety standard for school buildings throughout the state?

"In their call for such a probe, the city's school officials had the support of other Lehigh County districts.

"It is an outgrowth of a crackdown on fire safety hazards in Pennsylvania schools, launched early this year in the wake of the tragic Chicago parochial school fire, last December, in which nearly 100 children and teaching sisters lost thier lives.

"In the county, the total bill to correct fire safety hazards is running close to \$700,000.

"While school officials were quick to point out that they welcomed the local checkup and were glad to install the needed safeguards for the children, they are perplexed by stories reaching them of the relative apathy in other districts and the seeming lack of any strict state enforcement such as was true in Lehigh schools.

"They hear of wooden frame buildings in some districts, where no move is being made to provide fire prevention measures.

"They hear of an elementary building in a nearby county, condemned 15 years ago as being unfit for school purposes, which continues in use with no action by state inspectors.

"They hear of the perfunctory checkups given by state inspectors in other counties, where the state officials merely 'strolled in and out' of the schools and made no attempt to inspect them.

"They would like to know why many schools in one nearby county have never been inspected.

"They would like to know why many schools up through the anthracite coal region, which have open stairways, have been allowed to remain open. In Lehigh the orders were strict, 'fire towers must be built . . . open stairways are not allowed.'

"They point to Wilkes-Barre's GAR High School, which has open stairways, identical to those at Allentown High School, yet nothing has been done to close them off as fire towers.

"They wonder if there is a difference between public and private schools, in view of reports reaching them that some parochial schools have classes with as high as 66 kindergarten children in one room with a single exit, when here the state inspectors enforced a regulation that where there are more than 30 children in a room, there must be at least two exits.

"They scoffed at the excuse offered in the past that in some districts state inspectors have too many other buildings to check, and could not make their rounds of the schools. They pointed out that Lehigh County has just as many buildings, and local inspectors did a good and thorough job in short order in following out department orders.

"These and other questions they feel could be answered in an investigation by the State Senate.

"Sparked by Supt. of Schools John S. Cartwright's increasing insistence that the state building code has been applied in a discriminatory manner, Allentown School Board officials have backed him in the belief that the department's bureau of inspection has a very flexible set of rules it followed in the safety crackdown.

"William S. Zettelmoyer, president of the board, said, 'I wonder if everyone was treated the same as we were, or if were the guinea pigs. I think an investigation is in order.'

"The head of the board pointed out that, 'They (the state) seemed to lay off of many of the schools in the coal regions because of their inability to pay the cost of a renovation program,' Zettelmoyer commented.

"Now why, just because Allentown and other county schools can afford it, should we be singled out? A safety hazard is a safety hazard, and ability to pay shouldn't have anything to do with protecting the lives of children.

"Allentown wasn't treated fairly. We were forced into the job at Allentown High School (the removal of marble stairways and erection of fire towers) and I can't believe it was necessary,' Zettelmoyer added."

There are several other quotes which I will not at this time quote here on the Senate floor. However, I ask that they be spread upon the record of the Legislative Journal.

There being no objection, the concluding portion of the newspaper article was ordered to be printed in the Journal as follows:

#### YORK SUPPORTS DEMAND

George W. York, chairman of the district's building committee, added his support for the call for a probe. "I'll go along with the superintendent. I think very definitely we are being dealt with much more strictly than other districts.

"There's no question that we wanted to know about these conditions so that we could make our schools just as safe as they can be. But as far as I'm concerned I feel we should be treated the same as every other district."



## EISENHARD'S VIEW

Charles W. Eisenhard, another member of the building committee who was present in Harrisburg when local school officials met with representatives of the labor and industry department to review directives against Allentown schools, said "They were rather rash and radical in their demands."

Eisenhard went on to note that he had received the impression in his visit to Harrisburg "They seemed to have a feeling of guilt in the way they had to carry out orders."

## CARTRIGHT'S REPORT

Cartwright said he was prompted to call for the Senate inquiry because of the interest shown by private parties who had inquired of him whether schools throughout the commonwealth had faced the same intensive probe that local schools had.

"They said they were glad to see Allentown's schools made safer, but they want to know if the same uniform standards are available to all children across the state," Cartwright said.

"One of them told me 'I guess maybe the children burn easier in Allentown!'"

## ACTED VOLUNTARILY

Local school officials had been quick to act after the Chicago fire, to see if any hazards existed here that were a threat to the safety of the children. At the request of the Allentown School District a thorough survey was made of all buildings by fire and other city officials.

Based on certain shortcomings uncovered in this voluntary probe, city school officials moved to correct them.

## ORDERS DUMFOUNDING

On the heels of local action came the state probe. In the wake of the checkup by local inspectors of the state Dept. of Labor and Industry, came a series of orders to "fix up or close up" a number of public school buildings that left school officials dumbfounded at the extent of the work ordered and the short time given to complete it.

Acting with all the speed possible in view of the complexity of planning for and financing the huge project, the city school district has been able to get the major portion of the work completed in time for the opening of schools two weeks hence.

There have been extensions granted for some of the work, and the district is planning to complete this phase of the corrective program as soon as possible.

## ALLENTOWN NOT ALONE

What happened in Allentown, was repeated in many other districts in the county.

The cost has been high. In the city it will run more than a half a million dollars until it is completed. County schools found the bill running well over \$150,000.

## SUPT. GOCKLEY AGREES

Whitehall Supt. of Schools Clarence M. Gockley said, "From reports you hear this is just an outrage, when some districts spend thousands of dollars and others nothing. It is ridiculous and discriminatory."

Asked if he would back the call for a state senatorial probe, Gockley was vehement in his reply, "Back it? I'm in front of it. We spent \$30,000 to get our buildings in shape, while other counties haven't turned a hand."

Adding his compliments to the work done by the state building inspectors, Clinton J. Leiby and

Edgar N. Moyer, Gockley said "It was wonderful to make our schools safe for the children, but I think one child is worth as much in one part of the state as in another. The rules should apply to everybody and not just a few."

Harold Worman, president of the Whitehall School Board, said he would be happy to back Gockley on a call for a state investigation. "We would certainly be ready to back him. He knows more about it than I do, and if he thinks it is necessary I'm for it."

## COPLAY VIEW

While he would not definitely take a stand on a call for a state probe, Coplay Supervising Principal William Shetlock decried the "discriminatory" nature of the state checkup. "What is good for one district should be good for the others."

Coplay, one of the county's smallest districts, was hit hard by the crackdown with a bill to correct hazards running to \$56,-800. Shetlock said he felt much of the state directives were hasty. "Many of the districts were given a long time to complete the work. If we had been given more time we could have done a better job of planning."

East Penn Union's Supt. of Schools Lemmon C. Stoudnour said that he would have to wait for official board action before making a statement on backing a state investigation.

But Stoudnour said that, as far as the methods followed in applying state standards throughout the commonwealth, "We here in East Penn feel the same as Allentown. We are concerned that some are abiding by the directives and making the corrections, while others are not, and nothing, apparently, is going to happen to them."

Ralph Schappell, president of the East Penn board, said "I would like to wait and see if there is proof that such an investigation is called for. If there is such basis, than we would have to take it up with the entire board before taking action."

Mr. VAN SANT, Mr. President, in view of this development in the Allentown and Lehigh County area, I am offering this resolution.

## SENATE RESOLUTION

## SENATE COMMITTEE TO INVESTIGATE THE SCHOOL BUILDING INSPECTION PROGRAM OF THE DEPARTMENT OF LABOR AND INDUSTRY

Mr. VAN SANT offered the following resolution (Serial No. 58), which was read and referred to the Committee on Rules:

In the Senate, August 31, 1959.

As an outgrowth of a crackdown on fire safety hazards in Pennsylvania schools which resulted from the tragic Chicago school fire last December, the Department of Labor and Industry has ordered many school districts throughout the State to make extensive repairs.

It is true that in many cases these repairs were needed and in all cases the school officials were glad to install the needed safeguards for the children, but there is much evidence to indicate that the Department of Labor and Industry has been discriminating in favor of certain districts and against others.

In Lehigh County, the department has ordered strict compliance with the orders. Yet, in other counties there is a marked apathy toward enforcement. Cases of discrimination are many but a few examples follow:

1. In a county close to Lehigh, a school building was condemned fifteen years ago as being unfit for school purposes, yet it continues in use now with no State action being taken.

2. Certain high schools have open stairways and nothing



has been done to require them to be closed off as fire towers.

3. In other districts, there are wooden frame buildings which are being operated without any move being made to enforce fire prevention measures.

4. In one school, sixty-six kindergarten children are in one room with a single exit, yet in Allentown the State inspectors enforced a regulation that says where there are more than fifty children in a room, there must be at least two exits.

After hearing these and other examples of discrimination, many people have begun to wonder if the Department of Labor and Industry is being uniform about this or whether they are picking out the districts that can afford the renovations and forgetting about the others. If this is the case, the matter should be looked into because those children attending schools in financially distressed districts can be burnt to death just as easily as those attending schools in the Lehigh Valley.

The Constitution of Pennsylvania provides for equal treatment for all school children. Yet, it now seems that when we come to safety provisions, some are getting better treatment than others. Is it right to ask the tax payers of Lehigh County to spend \$700,000 to make their schools safe and then say to the other districts, "We'll forget about your hazards because you don't have the money"?

The Department of Labor and Industry should have a uniform program which should be uniformly enforced. If there is a basis for the contentions that certain districts are being bypassed, the public should know why; therefore be it

Resolved, That the President pro tempore of the Senate appoint five members of the Senate who shall constitute a committee to investigate the school building inspection program of the Department of Labor and Industry; and be it further

Resolved, That the committee shall have the power to issue subpoenas under its hand, requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books, papers and documents as the committee may deem necessary. Such subpoenas shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. The committee shall have the power to administer oaths and affirmations to witnesses appearing before them. Any person who shall wilfully neglect or refuse to testify before the committee or to produce books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the committee make a report of its findings and recommendations to the Senate at the earliest possible date before the adjournment of this Session of the General Assembly.

#### REQUEST FOR UNANIMOUS CONSENT TO MAKE A BRIEF STATEMENT

Mr. WATKINS. Mr. President, I ask unanimous consent to make a brief statement. I think this is important so that the Senate can proceed orderly with its business today, and so that all Senators who are reported in their seats can hear it.

The PRESIDENT. Is this in reference to a resolution?

Mr. WATKINS. No, it is not, Mr. President.

The PRESIDENT. Would it not be more in order than if it were taken up—

Mr. WATKINS. No, Mr. President. I think it is important that I make this brief statement because I do not see how I can be voted if what I am reading is correct.

The PRESIDENT. We have just ruled against Senator Seyler's request for the same, and he withdrew his request.

Mr. WATKINS. I appreciate that, Mr. President. However, I wonder if you would press for unanimous consent

for me to make a brief statement to see if there is an objection.

Mr. SEYLER. Mr. President, I am not going to make an objection to Senator Watkins having unanimous consent, because I suspect that the matter he is going to speak about is the same matter that I wanted to talk about, and it is in regard to the condolence resolution that I decided not to offer. Therefore, I do not have any objection whatever to his clearing up the matter that I wanted to talk about earlier.

#### REQUEST FOR UNANIMOUS CONSENT TO MAKE A BRIEF STATEMENT WITHDRAWN

Mr. WATKINS. Mr. President, I withdraw my request. I would not want the Senate to be inconvenienced at all, and I would not want any favor given to me that Senator Seyler does not receive.

Mr. WEINER. Mr. President, I wonder if it would be in order for the Members of the Senate to say that they are very happy to see that the late Senator Watkins is present, on time and in his seat today. Perhaps that will take care of the problem.

If that is out of order, you may so rule.

The PRESIDENT. Thank you, Senator.

#### BILL INTRODUCED AND REFERRED

Mr. RIPP. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. RIPP, BARR, SARRAF and FLEMING read in place and presented to the Chair Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employes.

Which was committed to the Committee on Rules.

#### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

#### EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. PROPERT,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

#### MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the



Board of Trustees of Ashland State Hospital, from June 21, 1957, for the term of four years, and until their successors are appointed and qualified:

Joseph A. Paulosky, Minersville, Schuylkill County.  
Al R. Callaghan, Heckscherville, Schuylkill County.  
Joseph O'Haren, Shenandoah, Schuylkill County.  
John B. Rich, Pottsville, Schuylkill County.  
Franklin P. Diehl, Hegins, Schuylkill County.  
Joseph F. Hinchey, Jr., Centralia, Columbia County.  
Joseph Land, Minersville, Schuylkill County.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. PROPERT,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

### HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 112

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 112, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for traffic courts in cities of the third class.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 112

Mr. BERGER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 112, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 623

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 623, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prescribing penalties for using obscene or offensive language over telephones, or repeatedly by telephone annoying, molesting or harassing another.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 623

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 762

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555), entitled "An act providing for the regulation of dams, or other structures . . . projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; . . ." authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

SENATE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 762

Mr. BERGER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The roll was called and was as follows:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.



Ordered, That the Clerk inform the House of Representatives accordingly.

### REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 1383, entitled:

An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 274, entitled:

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 274, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to House Bill No. 274, recalled from the Governor.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," further regulating the investment of borough funds.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 36

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 36.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order:

Senate Bill No. 477, Printer's No. 1295;

Senate Bill No. 478, Printer's No. 1228; and

Senate Bill No. 479, Printer's No. 1229.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 553, entitled:

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 553

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 553.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS— 50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## FINAL PASSAGE CALENDAR

## BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1015, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

On the question,

Shall the bill pass finally?

## RECONSIDERATION OF HOUSE BILL No. 1015

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1015, passed third reading on August 25, 1959.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WAGNER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

## BILL ON THIRD READING AMENDED

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 2 by striking out "699.9" and inserting: "699.10"; Amend Sec. 1 (Sec. 699.10), page 2, line 4 by striking out "699.10" and inserting: "699.11"; Amend Sec. 1 (Sec. 699.10), page 2, lines 12 and 13 by striking out "or who purchases them FOR SUCH PURPOSES"; Amend Bill, page 2, by inserting after line 15: "Section 2. This act shall take effect September 1, 1961."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that House Bill No. 1015, Printer's No. 893, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1033, entitled:

An Act amending the act of June 27 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill has been on our Calendar for a little while. It was part of a package with Senate Bill No. 1032, which we just passed over in order. I assume that the reason we passed over it was because the Senator who was going to prepare some amendments to this bill, to make it a little more sensible or to make it have some purpose, apparently has not had the amendments prepared.

Senate Bill No. 1033 is the other part of this package, and it will provide for minority representation on the Tax Equilization Board. During the past ten years or so, there has never seemed to be a problem about the Tax Equilization Board having minority representation. When the Board finally begins to do its job,—and, in my opinion, they are doing it better than in the past and even some areas which have been left out in the cold are for the first time beginning to get their proportionate share—we not only try to change the rules, but we also try to change the membership. I feel that if this Board has been doing a good job, generally, and for a number of years, I would like an explanation as to why we must change not only the rules, but also change the Board membership. If there is some compelling reason, I am sure that the Members on this side would be happy to join with you, because we certainly are in favor of good government and in doing the right thing. If this bill will do that, I am certain that all of us will be glad to join with you.

Mr. BERGER. Mr. President, I can assure the gentleman that had this bill, which would amend the act of June 27, 1947, been offered before, providing for minority representation, I am sure it would have been approved. Apparently the need had never been seen before, and now that it has come up, I think now would be a good time to do it.

There is no question about the Board having carried out



the terms of the law. There is no doubt about that. It is a matter of information and the priority of minority representation, no matter what the majority might be at the time.

I think this a good bill, and it certainly will not inhibit the Tax Equalization Board in any manner whatsoever.

Mr. WEINER. Mr. President, I would like to have explained to me—and I am sure the Members on this side would also like to have the benefit of that explanation—why no change has been made since 1947. In other words, if a change is indicated now, it certainly must have been indicated before. Members have come and members have gone on this Board. If they did not need the benefit of the Democratic point of view at that time,—and I use that both with a small “d” and a large “D”—why does it seem so compelling at this moment that we have a Republican point of view?

Mr. BERGER. Mr. President, they never asked for it.

Mr. WEINER. Mr. President, I am certain that the gentleman realizes that we do not do foolhardy things. Had we asked for it, I am certain of what the answer would have been. I think the gentleman also realizes what the answer would have been. Had we misinterpreted his answer, I am sure the gentleman in the front office might have taken care of that answer and indicated what it might have been.

I do not feel, at this time, that there is any reason to pass this type of legislation, except if the purpose—and it appears to be that—is to first change the Board and then later on change the formula so that it comes out like it has been coming out all along, whereby the people who have been benefitting from this for some time continue to receive the same benefits.

Mr. BERGER. Mr. President, I am sure the gentleman realizes that, in most instances, the minority on the other side has requested minority representation on boards. However, this happened to be one they overlooked. Therefore, we are simply making up for the lost time and doing it now.

Mr. LANE. Mr. President, we all know that this debate is purely political. As a matter of fact, I do not believe that if there were minority representation on the present Board it would improve anything.

I had no criticism of the Tax Equalization Board when Jack O'Neil was the Chairman of the Board. As a matter of fact, I think he did a fairly decent job. However, if the criticism of the opposite side is directed to this Board, I wish to advise them that, in my opinion, I think they are doing a fairly decent job, but they need the tools with which to work. As a matter of fact, when I talked with members of the Board not long ago, they explained to me that they do not have an industrial appraisal unit. They do not have qualified appraisers, which they should have. We talked about appraising the industrial properties in western Pennsylvania, and what they actually do is try to guess the values on this property. They do not even have information in regard to costs and cost replacements.

I say to you that in view of all of these circumstances, this Board is doing a very good job. Minority representation does not mean anything. You gentlemen have had experience with minority board members and commissioners. Generally speaking, the minority mem-

ber is always a member who is approved by the majority. Therefore, you know you are not getting anywhere. It is sort of silly.

We used to advocate minority representation on various boards when the Republican had control. Of course, our moves, frankly, were political, and the moves today are purely political.

Mr. MAHADY. Mr. President, the Majority Leader's remarks do not inspire much confidence in me when he said that had we asked for it, we could have received representation.

I call to his attention the fact that the Liquor Control Board provided for minority representation, and they just did not even bother, when they were in power, to appoint a Democrat as the third member. I also call your attention to the fact that, in 1955, Governor Leader made a preliminary study of this Board, and he appointed outstanding names as a committee. This committee made a report, as the Advisory Commission of the State Tax Equalization Board. That report said the most crucial recommendation was the curtain of secrecy which should be dropped as soon as possible, as it had existed behind this curtain under Republican Administrations.

I quote further:

“The committee, however, feared that this could not be done quickly without exposing the inadequacies of the Board's procedures to considerable criticism.

“With the appointment of Mr. Bevec to the Chairmanship of the Board, however, the Board took the courageous position that it would make full disclosure regardless of the consequences. As a result, not only has the present Commission had the full co-operation of the Board and its staff, but various school districts have been able to obtain comprehensive pictures of operation. The members of the commission cannot over-emphasize the beneficial effects of this change of policy. Under the rule of secrecy,—that is, under the Republicans,—“the worst possible interpretation was often put on any unpopular finding; under the rule of full disclosure, Board findings have been subject to much more agreement and almost always to sympathetic understanding.”

The Advisory Committee, made up of distinguished people, feel that this is operating as it never operated before, better and fuller, and we see no reason why a change should be made at this time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Propert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

#### NAYS—22

Barr,	Lane,	Mullin,	Sarraff,
Camiel,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Silvert,
Donolow,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Ruth,	Weiner,
Kalman,	Miller,		



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1038, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987), entitled, as amended, "Sanitary Water Law," permitting certain municipalities to discharge sewage in certain water.

On the question,

Shall the bill pass finally?

Mr. MULLIN. Mr. President, I wish to oppose the passage of this bill for three reasons. The first reason is that it is special legislation. The second reason is that it is unconstitutional. It is contrary to the policy of this Commonwealth and the Clean Streams Program. The third reason is that it might affect the health of a lot of people who live on the banks of the Allegheny River, and it might also even effect the health of some of the Members of this Senate, because I understand this river passes through Warren County, where our good Senator Chapman resides. I have been informed also that it passes through Ford City, where Senator Pechan lives. For those reasons, I would oppose this bill.

I would like to read an article from The Philadelphia Sunday Bulletin, dated August 30, 1959:

"The Sanitary Water Board and Senate Majority Leader James S. Berger (R-Potter) were sharply at odds today over the need for a sewage treatment plant in Berger's home town of Coudersport.

"For ten years, the board, which administers the 1937 Clean Streams Act, has been trying to persuade Coudersport to stop dumping raw sewage into the headwaters of the Allegheny River.

"Two years ago, the board lost its patience and issued an order to the community, giving it two years to build a plant.

"The deadline passed on July 1, with no evidence of an attempt to comply.

"Instead, Berger introduced a bill in the Senate to exempt his home town from the Clean Streams Act. The measure is slated to come up tomorrow in the Senate for final passage.

"Berger, a lawyer, has drafted the measure with special precautions to sidestep the constitutional ban on special legislation.

"The Berger bill does not name Coudersport as the community to be given authority to continue dumping its sewage without treatment.

"The exemption would apply only to 'municipalities of 4,500 or less located along a stream which rises in Pennsylvania, flows through Pennsylvania for a distance of less than sixty miles, enters another state and then re-enters Pennsylvania and which is located between its headwaters and its point of entry into the other state.'

"Coudersport is the only community in this State to meet these specifications.

"The stream in question is the upper Allegheny River.

"We cannot permit untreated sewage to be discharged into the Allegheny River at Coudersport," an official of the Sanitary Water Board said.

"We have been very patient about the situation, but Coudersport has ignored our order, and apparently nothing is being done to build a treatment plant.

"The situation will be further aggravated

by the construction of two new school buildings at Coudersport. We must insist on sewage being treated.'

"The two Coudersport schools are being built with the State picking up two-thirds of the construction costs.

"One building is a \$1,177,729, junior-senior high school for 722 students from Coudersport and five adjoining townships. The other is a \$300,000 addition to an elementary school.

"Both projects are being constructed by the State Public School Building Authority.

"The high school now under construction will be paid off over thirty-seven years on an annual rental to the authority of \$73,828.

"Of the annual rental, the State will pay \$48,303, and the Coudersport Joint School District, the remaining \$25,525.

"The State's share will be similar on the second project.

"Both projects were scheduled originally to have their sewage treated by the proposed Coudersport plant.

"Coudersport school officials may be forced to build their own sewage treatment plant at an additional cost of \$50,000, if Coudersport refuses to build one."

That is the end of the article. I think the article certainly states the facts more eloquently than I could. However, the principle involved is one which, to me, is very reprehensible because here is a community which is so brazen as to ask that its sewage be disposed of in such a fashion that other people, part of whom live in an adjoining State and the rest of whom live in the State of Pennsylvania, must take this sewage and all of the people of the Commonwealth must bear two-thirds of the expense. I certainly would not want to be a part of putting any of the Commonwealth's money into such an unworthy cause.

Mr. FLEMING. Mr. President, I have a very high regard for the sponsor of this bill, but I certainly must rise to oppose any such measure which would permit, in any way, the pollution of any of the streams in the Commonwealth of Pennsylvania and, particularly, that of the Allegheny River which flows not only through my District, but through a great portion of Allegheny County and forms at the juncture of the Monongahela and Ohio Rivers. We have spent millions of dollars in Allegheny County in an attempt to clean up stream pollution. In my opinion, this would definitely be a step backward.

I have been an advocate of pure streams since my first election to the General Assembly of Pennsylvania. Therefore, I could not, in good conscience, do anything except to recommend to all the Members of this Senate that they vote against this particular measure.

Mr. LANE. Mr. President, we seem to be doing things more or less in reverse in this Session of the Legislature. However, for the information of the Members of the Senate, the first champion of pure streams, as far as I know, was the enactment of the LaRue Act. Then we had Judge Grover Ladner, of Philadelphia, who worked real hard along this particular line. We then had "Big Jim" Duff, who implemented the actions of the LaRue Act by special legislation covering stream pollution.

I say to the Members of the Senate on the other side of the aisle that if they pass this legislation today, I would not be surprised to see Jim Duff change his politics from Republican to Democrat.



Mr. BERGER. Mr. President, if any of the reasons which the good Senator from Philadelphia, Senator Mullin, had stated in opposition to this bill were correct, I would be the first one to support him. However, it is not special legislation. It certainly is not unconstitutional and, as far as I am concerned, and which is the most important reason he advanced, it cannot affect the health of any of the eminent Senators to whom he referred.

As far as the borough of Coudersport's introduction of sewage into the upper Allegheny River is concerned, that borough will probably be affected by this legislation. Let me say, Mr. President, that there is no community of over 4,500 people located within five miles of each other, along the upper flowage of the Allegheny River. If I remember my physiology, back in the sixth or seventh grades, I was taught that a stream flowing in the sun and over rocks will purify itself from the saturation point to almost bacteriological purity in a period of five miles flowage. Therefore, I am not at all worried about it affecting the health of the people of the city of Warren, or the people of the city of Pittsburgh, or the people of any community whatsoever located upon the Allegheny River, either above the New York State border or below it.

Mr. President, the Sanitary Water Board has suggested to the borough of Coudersport that it build a sewage disposal plant at a cost of approximately \$1,750,000. This amount is far more than that small community can possibly afford. Furthermore, Mr. President, it has been shown by experience and tests that the swimming is pretty good two or three miles below the borough of Coudersport. Not only that, it is pretty darn good fishing, which will probably answer the objection of the gentleman from Allegheny, Senator Fleming, in connection with his interest in this bill.

I want to say further, Mr. President, that after the stream leaves the confines of the Commonwealth of Pennsylvania, the State has no more control over it. It then returns, after flowing a considerable distance twenty, twenty-five or thirty miles through the State of New York. I doubt very much whether we can compel the State of New York to do anything about the communities as far as Pennsylvania is concerned. However, more than that, Mr. President, after it re-enters Pennsylvania, the lives of the people to be endangered are extremely few for the reason that on that Allegheny River is located the Seneca and the Cornplanter Reservation, which will shortly be inundated by many billions of gallons of water, through the construction of the Kinzua Dam, and there are not going to be any people living there.

Mr. President, those are the cogent reasons for my interest in this bill. Therefore, I would ask my colleagues to vote in favor of it.

Mr. MAHADY. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. MAHADY. How many towns are affected by this bill?

Mr. BERGER. I would say probably three boroughs.

Mr. MAHADY. Are they on the same river?

Mr. BERGER. They are on the same river.

Mr. MAHADY. Is there no other river affected?

Mr. BERGER. I do not know that. I have not explored the entire number of streams in Pennsylvania.

Mr. MAHADY. Have the other boroughs asked for this legislation?

Mr. BERGER. No.

Mr. MAHADY. Did only the borough of Coudersport ask for this legislation?

Mr. BERGER. As a matter of fact, the borough of Coudersport did not ask for it.

Mr. MAHADY. In answer to Senator Mullin's statement about this being special legislation, if it affects only one locality, is there not a constitutional provision which provides that this be advertised thirty days before the bill is presented to the Senate?

Mr. BERGER. Mr. President, if this were special legislation, that would be true. I am very familiar with that provision.

Mr. MAHADY. Therefore, do you think that a bill affecting one locality and three boroughs, within fifteen miles of each other, is not special legislation?

Mr. BERGER. It certainly is not, Mr. President.

Mr. PECHAN. Mr. President, I believe this is the first time during this Session that I have had to disagree with my distinguished colleague, Senator Berger. I do not know why Senator Mullin took it for granted that I was in favor of this bill, unless he takes it for granted that every time Senator Berger votes "aye," Al Pechan votes "aye." This occurs most times, but I think maybe this is perhaps the first time we have disagreed. I have a lot of respect for Senator Berger's judgement. He was getting into the chemistry of water and I do not know whether he should, because I do not get into the legal aspect of things. Last week, I was questioned about a legal matter concerning malicious mischief and a prank.

However, Mr. President, I want to say that the Allegheny River flows through my community of Ford City. Our city fathers are out trying to scrape up a half a million dollars for a sewage disposal plant. I have argued for years that I did not think that Ford City, Kittanning or any of those areas in the middle of the Allegheny River should be singled out to build a sewage disposal plant, when the communities on the headwaters are allowed to throw their sewage into the Allegheny River and we, in Ford City, get it. By the time the communities on the headwaters of the Allegheny build their sewage disposal plants ours will be worn out and we will have to build another one.

Therefore, Mr. President, for that reason I am going to vote "no" on this bill.

Mr. BERGER. Mr. President, if I could return some compliments, I would say that heretofore I have always had the highest respect for the judgement and reasoning of the gentleman from Armstrong County, Senator Pechan. However, had he listened attentively to what I said before, I am sure he would not have made the remarks that he did.

The communities located in that portion of the Allegheny River, about which I speak, have no relation whatever to the pollution which the borough of Kittanning would receive or Ford City. As I certainly pointed out, Mr. President, the stream will purify itself under sun and over rock within a period of five miles. There is no source of pollution entering the headwaters of the Allegheny River which can possibly reach Kittanning or Ford City.

Furthermore, Mr. President, to reiterate, at the risk of burdening the Senate, this stream leaves Pennsylvania, goes into New York and returns to Pennsylvania. Therefore, Mr. President, there is not one thing that Senator Pechan or anybody else can do about the pollution which enters the stream in New York State. That will not affect them down in Kittanning because it cannot possibly get there.

As far as the city of Pittsburgh is concerned, I understand they withdraw and return the entire flowage of the Monongehela River four times and use it industrially before it goes out of the city. I am pretty sure that as far as any pollution put into it by the borough of Coudersport, the borough of Port Allegheny or the borough of Eldred is concerned, they are absolutely safe.

Mr. WEINER. Mr. President, I would just like to point out to the Majority Floor Leader that, as a result of listening to this debate, once in a while he should listen to his colleagues who sit on this side of the aisle. We have been telling him this all along.

Mr. MULLIN. Mr. President, I would like to read from Article III, Section 7, of the Pennsylvania Constitution, in part, as follows:

"Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed."

The injunction there is that this is indirectly special legislation. In addition to that, nothing has been said about the people and the children who bathe in this stream. Considering the type of stream so described, children bathe in it and deer and wild game also are there. Hunters and sportsmen go up there, both in the wintertime and summertime. I hold an obligation to protect them, too.

Mr. BERGER. Mr. President, we have a very salutary rule that a Member shall not speak on a piece of legislation more than twice. Therefore, I will not say that the Boy Scouts swam in that stream, four miles below Coudersport, for a long, long time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—26

Berger,	Harney,	Probert,	Wade,
Blass,	Keller,	Scott,	Wagner,
Chapman,	Kessler	Shafer,	Walker,
Confair,	Koprivier, Jr.	Stevenson,	Watkins,
Ehrgood,	Kromer,	Taylor,	Whalley,
Elliott,	Madigan,	Van Sant,	Wolfe,
Flack,	Mallery,		

#### NAYS—24

Barr,	Kalman,	Miller,	Ruth,
Camel,	Lane,	Mullin,	Sarra,
DiSilvestro,	Mahady,	Murray,	Seyler,
Donolow,	McCreesh,	Pechan,	Silvert,
Fleming,	McGinnis,	Ripp,	Stiefel,
Hays,	McMenamin,	Rooney,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 184, entitled:

An Act amending the act of April 29, 1937 (P. L. 487) entitled as amended "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 256, Printer's No. 498, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 314, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 297, entitled:

An Act repealing section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

And said bill having been read at length the third time and agreed to,



On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 398, Printer's No. 1072, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 409, Printer's No. 1172, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 470, Printer's No. 236; and

House Bill No. 471, Printer's No. 237.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 521, entitled:

An Act authorizing the use of certified mail in lieu of registered mail.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employes from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Silvert,  
Stevenson,  
Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—1

Mahady.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 598, Printer's No. 1385; and

Senate Bill No. 735, Printer's No. 816.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 851, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," authorizing veterans to gain residences as electors at homes for disabled and indigent soldiers and sailors.

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

Mr. WEINER. Mr. President, I would like to point out that I believe most of the Members in this Chamber are in favor of this bill. However, this type of legislation would be completely unnecessary if we were able to have reported from committee the bill which has been in committee since very early in this Session, dealing with absentee voting. I am certain that it does not cover all of the problems that are involved in this type of area. However, I think that we could eliminate a good many of them, and not have this type of patchwork legislation every Session.

In this particular legislation, we are taking care of indigent veterans who may end up living in a veterans' home, and who are able-bodied enough to take care of themselves and get about and do their business, but who are unable to establish themselves in their own homes because they do not have the means to do so or they have no place to go.

If the absentee voting bill would pass, we would not only be able to take care of this problem, but all of the other problems that come up.

This bill would take care of a veteran who lives in this type of a home, but it completely excludes other persons who do not happen to be veterans, or who, because of old age, live somewhere other than in a veterans' home. They are actually disenfranchised because of a lack of legislation or some thought in this area by this Body.

Mr. BERGER. Mr. President, I can agree thoroughly with what the Minority Leader has just said on that subject. I am quite certain that within the next week or two, we will have an opportunity to find on our Calendar the absentee voting bill. I understand that certain recommendations are being weighed and they will probably act on the bill soon.

Apparently, this bill came out on prior consideration and, because it was a veterans' bill, it received preference. However, I do agree that this subject would be covered and will be covered by the absentee voting bill. I suggest that we approve this House Bill and await the action of the committee on the absentee voting bill.

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallery,	Scott,	Whalley,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 959, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

And said bill having been read at length the third time,

On the question,  
Will the Senate agree to the bill on third reading?

Mr. EHRGOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Table of Contents, page 3, 12th line of Table of Contents, by striking out "250" and inserting: "249"; Amend Bill, page 4, line 1, by striking out "1" and inserting: "T"; Amend Sec. 185, page 70, line 11, by striking out "commission" and inserting: "Commission"; Amend Sec. 185, page 70, lines 12 and 13, by striking out "commission" and inserting: "Commission"; Amend Sec. 185, page 71, lines 2 and 3, by striking out "commission" and inserting: "Commission"; Amend Sec. 185, page 71, line 8, by striking out "any" and inserting: "Any"; Amend Sec. 185, page 71, line 9, by striking out "commission" and inserting: "Commission"; Amend Sec. 185, page 71, line 10, by striking out "appropriated" and inserting: "appropriated"; Amend Sec. 185, page 71, line 11, by striking out "commission" and inserting: "Commission"; Amend Sec. 185, page 71, line 11, by striking out "provided that" and inserting: "Provided, That"; Amend Sec. 185, page 71, line 12, by striking out "commission" and inserting: "Commission"; Amend Sec. 225, page 87, line 9, by striking out "any" and inserting: "Any"; Amend Sec. 225, page 87, line 12, by striking out "state treasurer" and inserting: "State Treasurer"; Amend Sec. 256, page 98, line 10, by striking out "(H)" and inserting: "(g)"; Amend Sec. 290, page 111, lines 7 and 8, by striking out "commission" and inserting: "Commission"; Amend Sec. 290, page 113, line 2, by striking out "the" where it appears the second time, and inserting: "The"; Amend Sec. 249, page 91, line 18, by striking out "two" and inserting: "one"; Amend Sec. 249, page 91, line 18, by striking out "directors the first of whom" and inserting: "director who"; Amend Sec. 249, page 92, lines 1 and 2, by striking out "the second shall be in charge of and responsible for"; Amend Sec. 256, page 97, line 17, by striking out "(E)" and inserting: "(e) to search with warrant any boat, conveyance, vehicle, fish box, bag, coat, basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) to seize and take possession of any and all fish which may have been caught, taken or killed at any time in any



manner or for any purpose or had in possession or under control, or have been shipped or about to be shipped contrary to the laws of this Commonwealth fish so seized shall be disposed of in any manner as the Executive Director may direct; (g) to enter upon any land or water in the performance of his duty; (h)"; Amend Sec. 256, page 98, line 1, by striking out "(G)" and inserting: "(j)"; Amend Sec. 256, page 98, line 10, by striking out "(H)" and inserting: "(j)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. HAYS. Mr. President, I would like to have a little assurance. This, of course, as all of us know, is an amendment to the Fish Code, and a very important piece of legislation. It is my understanding that the bill will be held over now until next week, and that, then, we will have an opportunity to further amend this bill. Am I correct in this assumption?

Mr. BERGER. Mr. President, I did not have that word. However, I will be glad to agree that it may be held over, Senator.

Mr. HAYS. Thank you.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. EHRGOOD. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1506, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printer's No. 1140, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1037, Printer's No. 1224; and  
Senate Bill No. 1047, Printer's No. 1238.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1060, entitled:

An Act amending the act of May 10, 1951 (P. L. 279) entitled "An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto" changing and clarifying provisions relating to fees procedures and enforcement permitting intrastate use of the act providing for the registration and enforcement of foreign support orders conferring powers and imposing duties upon the Governor the Secretary and Department of Public Welfare district attorneys courts and clerks of courts and making editorial changes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1066, entitled:

An Act authorizing an interstate compact concerning detainers and for related purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,

DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Rooney, Ruth, Sarraf, Scott, Seyler, Shafer,	Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1089, Printer's No. 1289, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1177, Printer's No. 1112, on third reading, go over in its order, because there are corrective amendments to be offered which we do not have at this time but probably will have tomorrow morning.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No. 1179, on third reading, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" including the Pennsylvania Air National Guard with the provisions of this act.

be re-referred to the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion. The motion was agreed to.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1468, entitled:

An Act amending the act of April 27, 1925 (P. L. 324) entitled "An act for the distribution by the Commonwealth and counties to townships and school districts of moneys received from the United States from Forest Reserves within the Commonwealth" authorizing the electors of a township to adopt an alternative basis for distribution of moneys.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I rise to offer some opposition to this bill. I have seen, in my time, many measures which were offered in the sacred name of home rule. However, I have never met one like this before. This not only is in favor of home rule, but home rule with State and Federal money.

The purpose of the original law, which gave Federal moneys to certain districts which had forests reserves, was to see to it that the necessary services of those com-

munities, which ordinarily would be supported by taxes, did not fail because of the lack of return of taxes, due to land being set aside for forest reserves. The two services that would seem most likely affected by this would be, first of all, the operation of schools, and, secondly, the operation, in most cases, of township government, which would in some degree, in a large part, consist of construction of roads.

The relative use of that money was set by law as being three-fourths of the money to be used for maintenance of the schools and one-fourth of the money to be used for other township purposes; as I say, mostly roads.

This legislation would say, if I read it correctly, that in the event the people of a township decided that they would rather have poorer schools and better roads, or some other better facility in the community, they could change that proportion.

Now, Mr. President, it seems to me that this money was given for a purpose, and certainly very few people would fail to admit that in this type of county, the maintenance of the schools is one of the chief financial problems which fall upon a community. It certainly is one that falls most strongly and it impinges most strongly on the fiscal affairs of the Commonwealth, because this Commonwealth is asked, through its equalization formula and also through other grants to distressed districts, to take up the slack between the ability of the community to support schools and the standard of schools that the Commonwealth feels should be supported.

Therefore, Mr. President, it seems to me, at this juncture, very unwise to change the basis of distribution of this money and to say that if a community decides they want to have more schools and spend this money which is being given to them in lieu of the possible return from land for other purposes, they may do so. I think the only result of this can be that they will have less money for schools in communities which, I think, very probably need as much money as they can get to support an adequate school system.

Mr. WEINER. Mr. President, I just want to add an addendum to what Senator Seyler said. This actually is a device to get more money for roads. It changes the formula from seventy-five per cent for schools and twenty-five per cent for public roads to actually a fifty-fifty basis, and could even go below that if the electorate so decided when it was submitted to them.

I think that money which is set aside for a certain purpose and then devoted to a different need, or for a different purpose, is playing a little bit loosely with funds so delineated. I think that it would be wrong, unless an actual need can be shown that the money is needed more for roads than it is for schools, for us to do anything to this fund because the money we need for schools is certainly not in abundance and to disturb it in any way is certainly dealing with a problem to which we do not have all of the solutions and one in which we could use a great deal more money and solutions.

Mr. LANE. Mr. President, I arise to support this legislation. This pertains to the forest reserves and, actually, these are all rural areas. They do have problems with roads. If the gentleman would have read on through the bill, around line 17, he would have read that: "one-half of such moneys shall be set apart for public schools and one-half for public roads of such township but that amount



of such money representing the one-fourth increase for the benefit of public roads of such township shall only be expended for highway projects which will be of benefit to public schools."

I imagine this applies to counties like Forest. I get up there occasionally when I have time to fish. I will say to you that they need the money for roads in that particular area.

Mr. BERGER. Mr. President, I do not wish to go into an extensive debate on this bill, except to say that at my request this bill has been held on the calendar for I believe two or three weeks, at least, so that I could get information and clearance from the school people in that area. I have word from the superintendent that the purpose of the bill seems to be all right. Another schoolman had questioned the bill, but I believe he is now satisfied that the purpose is correct.

It is exactly as Senator Lane said. The one-quarter increase will be used for roads in order to get to the schools, which is quite important if the childrent are going to receive their instruction in the schools.

Mr. SEYLER. Mr. President, in a county which transports children to a central school, I would like the gentleman to tell me what roads in that county would not be subject to the description of contributing to getting the childrent to school. Obviously, the buses travel on all of the roads of the county, just as they do in my county and in the Senator's county, and there is scarcely a single public road in any county at the present writing that does not make a contribution in the way of getting children to school. This is a pretty meaningless prescription in the bill, because any road can be justified.

The PRESIDENT. Are you asking Senator Berger to allow himself to be interrogated?

Mr. SEYLER. I am not asking anyone, Mr. President. I am simply replying to the points made by Senator Lane and Senator Berger.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—32

Berger,	Kalman,	McCreesh,	Taylor,
Blass,	Keller,	McMenamin,	Van Sant,
Chapman,	Kessler,	Pechan,	Wade,
Ehrgood,	Koprivier, Jr.	Propert,	Wagner,
Elliott,	Kromer,	Ruth,	Walker,
Flack,	Lane,	Scott,	Watkins,
Fleming,	Madigan,	Shafer,	Whalley,
Harney,	Mallery,	Stevenson,	Wolfe,

## NAYS—13

Hays,	Mullin,	Rooney,	Silvert,
Mahady,	Murray,	Sarraff,	Stiefel,
McGinnis,	Ripp,	Seyler,	Weiner,
Miller,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1483, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing appropriations to posts of the Society of the Twenty-eighth Division AEF Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1528, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

## YEAS—48

Barr,	Kalman,	Miller,	Silvert,
Berger,	Keller,	Mullin,	Stevenson,
Blass,	Kessler,	Murray,	Stiefel,
Camiel,	Koprivier, Jr.	Pechan,	Taylor,
Chapman,	Kromer,	Propert,	Van Sant,
Confair,	Lane,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Ruth,	Walker,
Elliott,	Mallery,	Sarraff,	Watkins,
Flack,	McCreesh,	Scott,	Weiner,
Fleming,	McGinnis,	Seyler,	Whalley,
Harney,	McMenamin,	Shafer,	Wolfe,

## NAY—2

Ehrgood, Hays,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1566, Printer's No. 987, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1577, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicles by dealers in certain cases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1714, Printer's No. 1212, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL  
PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1892, entitled:

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers . . ." giving the court jurisdiction in the trial of indictments for arson and burglary.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would like to say just a word in passing on this legislation. This is very necessary and it applies to the city of Philadelphia, exclusively, where we have a municipal court. This will allow the judges in the municipal court to try arson and burglary cases, as well as the entire list they now try.

This might be very helpful in cleaning up some of the back lists that we have. Although we are fairly current, this might aid in reaching a more current log or docket than we now have. If a man is qualified to be a judge and can listen to other criminal cases, I do not see why we cut out the jurisdiction that he had and particularly limit it to only certain defined areas. I think this will be very helpful, and I ask that everyone vote "aye" on this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1903, entitled:

An Act to prohibit discrimination in employment by the Commonwealth its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		



## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## SECOND READING CALENDAR

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 10, Printer's No. 10, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 75, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726) entitled "Pennsylvania Loyalty Act" providing for the filing of loyalty oaths by persons nominated or elected as write-in-candidates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 142, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 204, Printer's No. 39, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during time of combat.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1323;  
Senate Bill No. 447, Printer's No. 481;  
Senate Bill No. 448, Printer's No. 1324; and  
Senate Bill No. 449, Printer's No. 1325.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 467, Printer's No. 823, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

## AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 578, entitled:

An Act amending the act of May 3, 1933 (P. L. 242), entitled "Beauty Culture Law" changing eligibility requirements for examination.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Section 1, page 3, lines 7 and 8, by striking out "(2) shall have completed a tenth grade education or the equivalent thereof and (3)."

On the question,

Will the Senate agree to the amendments?

Mr. PECHAN. Mr. President, I object to these amendments and ask that my colleagues vote against them.

Mr. SEYLER. Mr. President, when the roll is called, I desire to be recorded as voting "no." If there is a voice vote, I desire, thus, to give notice that I am voting "no."

Mr. LANE. I wish to say, Mr. President, that, much as I dislike to disagree with our former State Chairman, I cannot support these amendments. I believe the time has come when we must establish some educational standards in all professions. Therefore, for the information of Senator Barr, I must oppose his amendments.

Mr. WEINER. Mr. President, I would like to say a few words on behalf of Texas here. It seems that everybody is against these amendments, but I think we should do a little thinking about them before we strike out against them. Has it ever occurred to some of the Members sitting here today that there are many women today who are in the business of beauty culture who may not have ever gone beyond grade school, who got married at some point along the line and suddenly found themselves either widowed or found themselves in a position where they had to go back to work, not knowing a trade and some of them being—if the ladies will forgive me—beyond the age where people would hire them, thus being put into the position where they either had to become independent contractors, as it were, doing this work for themselves or opening a small shop.

Mr. PECHAN. Mr. President, I am not a sponsor of this bill, as you know. It is a House Bill—

Mr. WEINER. Mr. President, I rise to a point of order. I have not finished. If the gentleman would have been

paying attention, he would have known that I was in the midst of discussing this matter.

Mr. PECHAN. I am sorry, Mr. President.

The PRESIDENT. I am sorry. I had been paying attention, but I was not sure.

Mr. WEINER. Mr. President, the basic premise which we are setting up here is building barriers which confront people going out and earning a livelihood. One of the few things that made this Country great is that people could go on. There are many men who are practicing law, which is a rather skillful profession and one which requires a great deal of study, who never went to college and who were able to study at home or do whatever was necessary, and took and passed the examinations and went on into the profession. Some of them have been rather outstanding men and outstanding lawyers. Until recent years, the same has been true of medicine. I am not so sure that what we are doing is the correct thing, in preventing someone from earning a livelihood by setting up an educational standard. What is so magic about the tenth grade, rather than the eleventh or ninth, quite escapes me. However, I think we should think very carefully before we leap into this area.

At the present time, there is no educational requirement. Under this Act, passed by the House, it would require almost 1,000 hours of schooling or two years of apprenticeship, which they do not have to do now. I believe if we continue to set up these barriers, we are going to close and forestall people going into a business or a profession which they very well might need for their livelihood. It might revert to you and me, through the expenditure of public funds for taking care of these persons. I think we should give this measure some real thought.

Mr. PECHAN. Mr. President, this bill does not say that you must have a tenth grade education. It merely says that a tenth grade education, or its equivalent, is necessary. Those words, "or its equivalent," are used, I believe, in nine of our boards' requirements in the various other professional boards that we have. A man or woman who wants to take this examination does not have to go to school at all, if they can pass the examination which is set forth by the Board of Cosmetology.

I believe that in this present age, where you have chemistry, where you have the various dyes, where you have scalp treatments, the people should know what they are doing and should be educated in their field. They should be taught at these various schools. I am surprised that the only people who are opposing these amendments are from the schools. It seems to me that the schools should try to elevate and raise the standards, such as your law schools, the dental profession, and the medical profession. Everybody has tried to raise the standards. Nobody is trying to deny the widow or anybody else from taking the beauty culture course. Even though a girl may be a college graduate, she could still fail an examination in cosmetology.

Therefore, Mr. President, I see no sense in not raising the standards as set forth by the 60,000 members of the Hairdressers Association of Pennsylvania. In fact, the Board of Cosmetology has one member on it who runs a school or owns a school or is president of a school, and who does not object to this bill.

I, therefore, ask all of my colleagues to vote against these amendments.

Mr. WEINER. Mr. President, I would like the gentleman to tell us what he thinks the word "equivalent" means.

Mr. PECHAN. That is established by the Board of Cosmetology. I believe there are only eight or nine States in the United States which do not have educational requirements, and Pennsylvania is one of them. In fact, just this past March, one of the States—I believe it was Washington—passed a law whereby you must have a college degree to be eligible to take this examination. Of course, again, I say the word "equivalent" is established by the Board of Cosmetology.

Mr. WEINER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

### AMENDMENTS WITHDRAWN

Mr. BARR. Mr. President, I desire to withdraw the amendments at this time.

And the question recurring,

Will the Senate agree to the section?

### BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 578, Printer's No. 189, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 737, Printer's No. 818; and

Senate Bill No. 738, Printer's No. 819.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 739, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.



And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 747, Printer's No. 838;  
Senate Bill No. 748, Printer's No. 839;  
Senate Bill No. 749, Printer's No. 840;  
Senate Bill No. 750, Printer's No. 1071;  
Senate Bill No. 751, Printer's No. 1326;  
Senate Bill No. 754, Printer's No. 845;  
House Bill No. 888, Printer's No. 677;  
House Bill No. 889, Printer's No. 671;  
Senate Bill No. 975, Printers' No. 1147; and  
Senate Bill No. 1001, Printer's No. 1190.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1031, Printer's No. 1215, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1036, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania providing that each county city borough incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendment:

Amend Sec. 1 (Sec. 35), page 2, lines 12 and 13, by striking out "until changed by such political subdivision."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1223, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1049, entitled:

An Act amending the act of May 23, 1945 (P. L. 913) entitled "Professional Engineers Registration Law" further defining the practice of engineering and authorizing registration of certain qualified persons without examination.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER. Mr. President, the amendment which I am about to offer is a technical amendment to the text of the bill.

Mr. BERGER offered the following amendment:

Amend Section 2, page 3, line 18, by inserting after "2"; "Subsection (b) of."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1055, entitled:

An Act amending the act of May 19, 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1062, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways of main arteries of traffic.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 1 (Sec. 1002), page 2, line 11, by inserting after "street": "not a State highway or."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendments:

Amend Title, page 1, last line of Title, by striking out "of" where it appears the first time, and inserting: "or"; Amend Title, page 1, last line of Title, by inserting after "traffic": "or State highways."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933, (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1079, Printer's No. 1279, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 392) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Section 1 (Section 3), page 3, line 19, by inserting after "given": "(A)"; Amend Section 1 (Section 3), page 4, line 9, by striking out "said notice to be posted or published" and inserting: "(B) Public notice shall be given"; Amend Section 1 (Section 3), page 4, line 13, by inserting after "ings": "(C)".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

## HOUSE BILL No. 1430 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 17 of today's Second Reading Calendar, Bill No. 1430, Printer's No. 1251.

The PRESIDENT. Is there objection? The Chairs hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1430, entitled:

An Act repealing section 1035 act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REMAINING BILLS ON SECOND READING  
CALENDAR

## OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1383, entitled:

An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 1645, Printer's No. 787;

House Bill No. 1885, Printer's No. 1153; and

House Bill No. 1999, Printer's No. 990.

## PETITIONS AND REMONSTRANCES

Mr. STIEFEL. Mr. President, over the week end, I prepared quite a lengthy and exhausting speech about housing development in Philadelphia and the progress the "City of Brotherly Love" is making. I wanted to speak about vanishing the mosquitoes of Delaware County and many other problems. However, realizing the lateness of the hour, I would appreciate it if my remarks would be incorporated in the Legislative Journal and the Senators repair to their dinner



The PRESIDENT. Senator Stiefel, I assure you that you have the thanks of the entire Body. The remarks of the gentleman from Philadelphia will be spread upon the Legislative Journal.

#### STATEMENT OF SENATOR ISRAEL STIEFEL

Mr. President, the cities of our Commonwealth like the cities of the nation are fighting a major battle. This is the battle against urban blight and obsolescence. This is a threat to the economic welfare of the entire nation. Nine out of ten wage earners make their living in cities. It will require the complete mobilization of city, state, and National resources to win this battle.

It has been my pleasure to speak to this group before about the problems, the approaches taken to their solution, and the proposed programs that the city of Philadelphia has taken. I am proud of our accomplishments to date and wish to give you a progress report. Nevertheless, it is not a report whose sole purpose is to give me an opportunity to stick my chest out. Instead, I wish to be able to point up the methods that we have used in organizing the available resources with which to fight urban blight and, above all, to point out the need for continuing programs.

Our goals in Philadelphia are simple goals. They are perhaps not different from those of most of the cities in the State. We're striving to keep Philadelphia a pleasant place in which to live for all of its citizens; a place with comfortable homes for people of all social and economic classes; a place with pleasant recreation facilities; a place where there is adequate employment; a city where there are no slums. To accomplish this requires the coordinated effort of our property owners, of the city government and all of its service departments, as well as our planning and renewal agencies.

In Philadelphia we are putting considerable reliance on the initiative of the individual property owner. Through renewal programs in middle-aged neighborhoods, we are encouraging voluntary rehabilitation. In these areas we are also attempting to eliminate nuisances through public action and, in some cases, to install new public facilities. In the Powelton area we are using Section 220 Federal mortgage insurance for the first time, in a program to encourage voluntary rehabilitation on an area-wide basis. It is our belief that true economy in saving our city can be achieved by making every effort to further rehabilitation and conservation programs rather than waiting until areas become so bad that total renewal and redevelopment are required. An active and comprehensive program of Code enforcement through our Department of Licenses and Inspections is also putting further emphasis upon the role the individual home owner must play in keeping his property up to standards.

The most difficult part of the problem is to turn the tide in those areas which are truly substandard slums. These are the areas where housing has been used and abused to the extent that it can no longer adequately serve the purpose for which it was intended. Lack of maintenance and upkeep over a prolonged period now makes it impossible to restore these properties. For them there is only one solution—demolition and redevelopment of the entire area. In my own 5th District, we have faced up to this problem and have developed a program of which we can all be proud. In the North Allen redevelopment area, one of the worst slums in the city was torn out and replaced with over 300 attractive homes and apartments which are available for low rent housing. In this same area, on June 27, we were able to break ground for a Medical Building. In the near future, a shopping center will be

erected serving the entire area. These accomplishments are only possible through the cooperation of the city, the Redevelopment Authority, the Housing Authority, the Federal Government and private enterprise. In Southwest Temple, yet another pattern was used to fulfill another housing need for the city. Here private enterprise was able to develop Jefferson Manor consisting of 229 dwelling units for middle-income families. In this case Federal and city funds were used for land acquisition and \$700,000 of State funds helped to reduce building costs and to make these most attractive homes available for moderate rents.

If anyone doubts the wisdom of these expenditures, let them take a walk with me through some of the still-blighted slum areas awaiting redevelopment and see the filth, the squalor, the overcrowded conditions unsuitable for human habitation and then visit these most attractive homes and apartments.

But it is not housing alone that we have concentrated on in improving this neighborhood. Land has been cleared with redevelopment funds to make available adequate parking for industry, to extend the playground for St. Malachy's parochial school and for the John Wanamaker Junior High School which will open in September. Yet another program in this area will see the development in the very near future—I hope before the end of this year—of 300 sales homes. These will be the first homes for sale in a redevelopment area. They will be developed by a private builder with assistance of city, State and Federal funds.

The projects that I have described may sound like bits and pieces. But the thing that we are most proud of is that these are part of an overall urban renewal program, a workable program for our city. These projects have been developed to fit into an overall pattern, the comprehensive plan for our city. By adhering to an overall plan we not only hope to eliminate blight from our city, but to prevent its recurrence.

I have spoken largely of the housing problems and the problems of residential areas. I feel that I must also mention the problems faced by Philadelphia's industries. Due in large part to lack of available land for industrial expansion, we discovered that Philadelphia was losing its payrolls and it was losing its tax base. This required action, and we believe that we are taking the steps that will guarantee us a sound economy. Portions of our redevelopment areas are being made available for industry. In addition to those areas we have joined with private enterprise in setting up the Philadelphia Industrial Development Corporation, which is designed to build a land bank of available sites for industrial use and to encourage industry to come to the City.

We realize that our hope for making Philadelphia the kind of city we want to see is largely dependent upon a continuing program. To insure this continuing effort, our six-year Capital Program contains a tremendous outlay for urban renewal. We have also taken an active role in sponsoring and supporting Federal legislation which will continue to make Federal funds available for such programs. But our task is of such size that we do not believe that city funds, even with two for one matching Federal funds, will be adequate to meet the problem. It is, therefore, important that State funds continue to be made available for these programs. The welfare of the people of our Commonwealth is dependent upon our cities. Certainly we as members of the State Government, will do our share to help fight the battle to save the cities.

Mr. SEYLER. Mr. President, I would like to make just a very brief statement.

Last week, I had occasion to take the floor and make somewhat of a complaint against some remarks made by the editorial writer of Harrisburg's fine Sunday newspaper, the Harrisburg Patriot-News. I am glad to tell all the Members, and all other interested persons, that the reaction of this newspaper was a very exemplary one.

Yesterday, they took the remarks I made here on the floor of the Senate and they spread them in full upon the same editorial page which had carried the original editorial remarks to which I objected. In doing so, they pushed John Scotzin's column out of its usual place, but we constant readers of the newspaper, and of John Scotzin's column, did not miss it. We read it with great

attention. However, I do want to say, Mr. President, that this action has served to reassure, at least, one constant reader of the Harrisburg Patriot-News of that newspaper's honesty and integrity and good intentions.

#### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, September 1, 1959, at 12:00 o'clock, m., Eastern Standard Time.

Mr. SHAFER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:45 o'clock, p. m., Eastern Standard Time, until Tuesday, September 1, 1959, at 12:00 o'clock m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, August 31, 1959

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, we come to Thee in quietness and peace this evening hour in the awareness that the shadows of night are rapidly drawing nigh. Draw us unto Thee we humbly pray that we may find the comfort as well as the blissful joy which Thou hast to give. As Thou dost hold us in the hollow of Thy hand, near to the heart of God, grant to these Thy Children the calm and sweet repose which may bring them unto Thee for Thy richest blessing. Give to them Thy protection throughout the long night, and enable them to walk in the light of the morning hour in Thy holy eyes. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, August 10, Tuesday, August 11 and Wednesday, August 12, 1959? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, August 26, 1959 will be postponed until printed.

The Chair hears none.

## BILLS INTRODUCED AND REFERRED

By Mr. McCANN HOUSE BILL No. 2346.

An Act amending the act of July 1, 1937 (P. L. 2460), entitled, as amended, "An act creating a joint legislative commission, to be known as the Joint State Government Commission; \* \* \*" authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

Referred to the Committee on Rules.

By Messrs. POLEN and McCANN

HOUSE BILL No. 2347.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Bureau of Consumer Protection; defining its powers and duties, and making an appropriation.

Referred to the Committee on Appropriations.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1065.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Executive Director of the Pennsylvania Fish Commission to sell and convey real property situate in the Township of East Saint Clair Bedford County.

Referred to the Committee on State Government.

SENATE BILL No. 1104.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County.

Referred to the Committee on State Government.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1645.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further specifying the time for holding meetings of the Game Commission.

HOUSE BILL No. 1885.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), deleting the limitation on indebtedness for the purpose of erecting a townhouse.

HOUSE BILL No. 1999.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further providing for the trapping of beaver.

SENATE BILL No. 175.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing the purchase of public liability insurance.

SENATE BILL No. 328.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" extending the jurisdiction of borough policemen to include property outside the borough owned or controlled by the borough.

SENATE BILL No. 474.

An Act amending the act of June 25, 1947 (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class" increasing the salaries of certain county officers.

SENATE BILL No. 475.

An Act amending the act of June 25, 1947 (P. L. 947), entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" increasing the salaries of certain county officers.

SENATE BILL No. 476.

An Act amending the act of June 25, 1947 (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" increasing the salaries of certain county officers.

SENATE BILL No. 480.

An Act amending the act of May 6, 1874 (P. L. 125), entitled "An act regulating state tax on certain county offices" increasing the maximum amount of fees that certain offices may retain.

SENATE BILL No. 481.

An Act amending the act of July 29, 1953 (P. L. 981), entitled "An act fixing the fees and mileage of the coroner in counties of the third class" increasing certain fees.

## SENATE BILL No. 482.

An Act amending the act of January 7, 1952 (P. L. 1844), entitled as amended "An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes" increasing certain fees.

## SENATE BILL No. 483.

An Act amending the act of May 13, 1949 (P. L. 1328), entitled "An act fixing the fees and mileage of the coroner in counties of the sixth class" increasing certain fees.

## SENATE BILL No. 484.

An Act fixing the fees and mileage of the coroner in counties of the seventh and eight class.

## SENATE BILL No. 587.

An Act amending the act of February 9, 1901 (P. L. 6), entitled "An act to permit the classification by railroad railway and transportation corporations of their boards of directors or managers" providing that the classes of directors or managers of such companies shall be as nearly equal in number as possible.

## SENATE BILL No. 685.

An Act repealing section 802 of the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" relating to the use of textbooks for a period of not less than five years.

## SENATE BILL No. 815.

An Act amending the act of April 14, 1927, (P. L. 297) entitled "An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof \* \* \*" clarifying provisions governing the power to transfer corporate franchises municipal consents and corporate property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927.

## SENATE BILL No. 831.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the determination of tuition charges for pupils of other districts.

## SENATE BILL No. 857.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for an assistant borough secretary.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 941, 1035, 1561, 1690 and 1721

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 28, 1959.  
To the Honorable, the House of Representatives, of the

Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 941, Printer's No. 900, entitled "An Act amending the act of June 3, 1937 (P. L. 1333) entitled 'Pennsylvania Election Code' increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1035, Printer's No. 291, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'The Borough Code' providing that the civil service provisions of the act shall not apply to the retirement of police and firemen."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1561, Printer's No. 596, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to assign transfer and set over to the Pennsylvania Game Commission the control and jurisdiction of 158,891.06 acres more or less of land situate in Limerick Township Montgomery County."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1690, Printer's No. 1356, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' by eliminating the requirement that no one may park or leave standing any vehicle or tractor upon a highway unless a clear and unobstructed width remains and providing an exception for public utility vehicles or tractors under certain circumstances."

DAVID L. LAWRENCE.

August 28, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1721, Printer's No. 1361, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' extending the use of manufacturer's jobber's and dealer's registration plates."

DAVID L. LAWRENCE.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## BUDGET

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, August 31, 1959.

I have the honor to transmit herewith a proposed capital budget for the Commonwealth for the 1959-61 biennium. You will also find included in this document a listing of projects which the various departments and State-aided agencies would like to have future legislatures consider.

As you know, such a document as this is unprecedented in Pennsylvania. It seems to me, as I am sure it must to the Members of the General Assembly, that it is essential for the Commonwealth to develop a



planned program of capital improvements. This budget, prepared by the Office of Administration in coordination with the staff of the State Planning Board and with departmental officials, is, in my opinion, an important and valuable first step toward such comprehensive planning. In transmitting it to you, I want to make several observations.

First, it is important to emphasize that if the Legislature implements this program through additional borrowing authorization to the General State Authority, there will not be need for additional operating funds for the GSA in this biennium beyond those called for in the General Fund Budget.

Secondly, this document merely lists requests from State-aided colleges and universities, but does not make specific recommendations. In the instance of Pennsylvania State University there is a recommendation that \$9,823,500 be allocated. Since past legislatures have already established the precedent for capital expenditures by the State at these institutions, I believe that their requests should be given sympathetic consideration.

Therefore, I recommend that \$6,995,000 be provided the University of Pennsylvania to construct a social science center and a veterinary research and instruction building. For Temple University, I would suggest provision of funds totaling \$6,742,900 for a chemistry building, a biology-life science building, and a central heating plant. At the University of Pittsburgh, the most pressing need is for a basic library unit, including undergraduates and reference libraries, which will cost \$7 million. At Lincoln University, I would recommend inclusion of funds to construct a new boiler plant and shops and to build a dining hall. This amounts to \$1,181,000.

It is obvious that these recommendations fall far short of the requests of these institutions. However, this same factor applies to all other agencies for which recommendations are made in this capital budget. It is apparent that there is a considerable backlog of projects demanding attention in the immediate future. The work which is recommended in this document is that which is the most urgent; it is not, by any means, the total which could be legitimately supported. However, it is the opinion of those who laboriously drew up this budget that urgency must have priority over mere desirability. I cannot disagree with this conclusion.

I trust that the Members of the General Assembly will find this budget informative and constructive and that, after careful review of its recommendations, appropriate legislation will be enacted to implement it.

DAVID L. LAWRENCE.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. EILBERG for today.

Mrs. Varallo for Mr. SULLIVAN for the week.

Mrs. Varallo for Mr. J. P. O'DONNELL for the week because of illness.

Mr. Lippincott for Mr. SNARE for the week.

Mr. Lippincott for Mr. O'DELL for the week.

### REPORTS FROM COMMITTEE

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. Henry A. Male.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. William W. Serrill.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. Joseph C. Gallagher.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. Percy A. Patterson.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. Charles D. Minehart.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. Alexander S. Robertson.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 14, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge over the Ohio River between the Borough of Monaca and the Borough of East Rochester in Beaver County \* \* \*.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 480, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring the erection of certain warning signs on State highways.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 568, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and the location and construction of school buildings in school districts of the third and fourth class where the reimbursement by the Commonwealth on account of transportation will be increased because of such acquisition of grounds or the location and construction or reconstruction of school buildings.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 983, entitled:

An Act providing for and regulating the licensing and practicing of landscape architecture fixing fees creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMENDED

Mr. POLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Indiana State Teacher's College.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and

Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1508, entitled:

An Act transferring the moneys of the State School Fund to the General Fund providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Superintendent of Public Instruction and the Secretary of Labor and Industry providing for future escheated estates making certain appropriations and repealing certain sections of the Public School Code of 1949.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing that evidence of mental condition may be submitted by disposition or affidavit of a physician of any city-owned hospital or institution.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2013, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) requiring the approval of mufflers by the Secretary of Revenue and prohibiting the sale or lease after specified dates of unapproved mufflers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

And said bill having been read at length the second time, and agreed to.



Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of House Bill No. 2142, entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission providing for its membership defining its powers and duties impos-  
ing duties on the State Council of Education and making an appropriation.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 3, page 4, lines 13 to 20, by striking out "and to participate in an" in line 13, and all of lines 14 to 20.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 4, page 5, line 2, by striking out "a report" and inserting: "reports".

It was agreed to.

The section was agreed to as amended.

The fifth, sixth and seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims providing for appeals to the Supreme Court providing for salaries of the members of the Board the procedure to be followed and further providing that the Commonwealth consents to be sued upon contract claims.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Dis-  
ease Act" approved June 21, 1939 (P. L. 566) by increas-  
ing the rate of compensation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Alle-  
gheny County for furnishings and equipment grading and landscaping of grounds and improvement of road-  
ways.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of House Bill No. 2330, entitled:

An Act making an appropriation to the Department of Agriculture for the maintenance of a calfhooed vaccina-  
tion program.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of House Bill No. 2336, entitled:

An Act making an appropriation to the Department of Agriculture for the payment of fees to veterinarians for the taking of blood samples.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of Senate Bill No. 356, entitled:

An Act amending the act of February 28, 1956 (P. L. 1154) entitled as amended "Incompetents' Estates Act of 1955 providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-  
tion of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organ-  
ized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 864, Printer's No. 1011  
was passed over at the request of Mr. McCANN.

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final  
passage of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

RECONSIDERATION OF VOTE

Mr. McCORMACK. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCORMACK asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by inserting after "on" "natural".

Amend Title, page 1, next to last line of Title, by striking out "and corporations".

Amend Sec. 1 (Sec. 1c), page 2, line 3, by striking out "1c" and inserting: "1C".

Amend Sec. 1 (Sec. 1c), page 2, line 6, by striking out "an" and inserting: "An".

Amend Sec. 1 (Sec. 1c), page 2, line 6, by inserting after "tax" where it appears the second time "for State purposes".

Amend Sec. 1 (Sec. 1c), page 2, line 7, by inserting after "tax" "for State purposes".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 516, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in this Commonwealth and revising consolidating and making the law uniform relative thereto creating the State Auctioneers Commission conferring certain powers and duties on the commission and on certain departments and officers of the State and local governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Agnew,	Fulmer,	Markley,	Rovansek,
Anderson,	Galley,	Maxwell,	Rudisill,
Arlene,	Gallagher,	Meholchick,	Sakulsky,
Boles,	Garlock,	Mihm,	Scarcelli,
Bonner,	Gibb,	Monroe,	Schuster,
Bowman,	Goldstein,	Muldowney,	Schwartz,
Branca,	Heavey,	Mullen,	Sherman,
Burns,	Holt,	Munley,	Shupnik,
Capano,	Irviss,	Murphy, A. J., Jr.,	Silverman,
Cianfrani,	Jenkins,	Murray, J. J.,	Snider,
Cioffi,	Jim,	Musto,	Stank,
Clarke,	Jones, F. R.,	Needham,	Steckel,
Comer,	Jump,	O'Donnell, J. A.,	Stevens,
Crossin,	Kamyk,	O'Neill,	Stimmel,

Curwood,	Kornick,	Parlante,	Stone,
Dennis,	Kovolenko,	Pashley,	Taylor,
Devlin,	Kubitsky,	Perry, H. H.,	Varallo,
Donaldson,	Lamb,	Perry, P. E.,	Verona,
Dougherty,	Leonard,	Petrosky,	Wargo,
Eshback,	Limper,	Polaski,	Welsh,
Ewing,	Lopresti,	Polen,	Wheeler,
Filo,	Lulgard,	Prendergast,	Williams, A. D., Jr.,
Fineman,	Lutty,	Reibman,	Willard,
Floyd,	McCandless,	Reidenbach,	Wilt,
Flynn,	McCann,	Renwick,	Yetter,
Foerster,	McCormack,	Rigby,	Andrews,
Frank,	McLaughlin,	Riley,	Speaker
Frascella,	Mahan,		

NAYS—76

Auker,	Guthrie,	Lippincott,	Seltzer,
Balthaser,	Hamilton,	McDonald,	Stewart,
Barton,	Helm,	McInroy,	Stoner,
Bell,	Henzel,	Machmer,	Stroup,
Blair,	Hocker,	Magee,	Tompkins,
Bower,	Holliday,	Merry,	Trusio,
Brenninger,	Horst,	Miller, B. Z.,	Ujobal,
Davis,	Isaacs,	Miller, H. G.,	Varner,
Dengler,	Johnson, A. W.,	Murphy, P. J.,	Wall,
Dennison,	Johnson, R.,	Murray, H. P.,	Walsh,
Donahue,	Jones, T. H. W.,	Murray, P. G.,	Weldner,
Down,	Kee,	Naugle,	Wescott,
Edwards,	Kelser,	Nelson,	Whittaker,
Eshleman,	Kernaghan,	Odorliso,	Williams, E. S.,
Farabaugh,	Kessler,	Ogilvie,	Willaredt,
Fetterolf,	Kooker,	Price,	Wood,
Fox,	Korns,	Pursley,	Worley,
George,	Lee, A. M.,	Royer,	Wynd,
Goodrich,	Lee, K. B.,	Schaaf,	Zimmerman,
Gramlich,	Light,		

NOT VOTING—23

Ashton,	Cooper,	McKeever,	Snare,
Boris,	Ellberg,	Mills,	Strausser,
Breth,	Gelfand,	Moran,	Sullivan,
Brown,	Heffner,	O'Dell,	Thompson,
Buchanan,	Knecht,	O'Donnell, J. P.,	Yatron,
Capitolo,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1055, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589) altering the requirements for licensure increasing penalties for unlicensed barbering or teaching \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and the nays were taken and were as follows:

YEAS—147

Agnew,	Galley,	McCormack,	Rigby,
Anderson,	Gallagher,	McDonald,	Riley,
Arlene,	Garlock,	McLaughlin,	Rovansek,
Auker,	Gibb,	Machmer,	Rudisill,
Balthaser,	Goldstein,	Mahan,	Sakulsky,
Barton,	Hamilton,	Markley,	Scarcelli,
Bell,	Heavey,	Maxwell,	Schaaf,
Blair,	Helm,	Meholchick,	Schuster,
Boles,	Henzel,	Mihm,	Schwartz,
Bonner,	Hocker,	Miller, B. Z.,	Sherman,
Bowman,	Holliday,	Miller, H. G.,	Shupnik,
Branca,	Holt,	Mills,	Silverman,
Brenninger,	Irviss,	Monroe,	Snider,
Burns,	Isaacs,	Muldowney,	Stank,
Capano,	Jenkins,	Mullen,	Steckel,



Capitolo,	Jim,	Munley,	Stevens,
Cianfrani,	Johnson, A. W.,	Murphy, A. J., Jr.,	Stewart,
Clarke,	Johnson, R.,	Murphy, P. J.,	Stimmel,
Comer,	Jones, F. R.,	Murray, J. J.,	Stone,
Crossin,	Jones, T. H. W.,	Musto,	Taylor,
Curwood,	Jump,	Needham,	Trusio,
Davis,	Kamyk,	Nelson,	Varallo,
Dengler,	Kee,	O'Donnell, J. A.,	Varner,
Dennis,	Kernaghan,	Odorisio,	Verona,
Devlin,	Kessler,	O'Neill,	Wall,
Donahue,	Kooker,	Parlante,	Walsh,
Donaldson,	Kornick,	Pashley,	Wargo,
Dougherty,	Kovolenko,	Perry, H. H.,	Welsh,
Down,	Kubitsky,	Perry, P. E.,	Wheeler,
Fetterolf,	Lamb,	Petrosky,	Whittaker,
Filo,	Leonard,	Polaski,	Willard,
Fineman,	Light,	Polen,	Willaredt,
Floyd,	Limper,	Prendergast,	Wilt,
Flynn,	Lopresti,	Price,	Yatron,
Foerster,	Lulgard,	Reibman,	Yetter,
Frank,	Lutty,	Reidenbach,	Andrews,
Frascella,	McCann,	Renwick,	Speaker

## NAYS—42

Bower,	Gramlich,	Merry,	Tompkins,
Buchanan,	Guthrie,	Murray, H. P.,	Ujobal,
Dennison,	Horst,	Murray, P. G.,	Weidner,
Edwards,	Kelser,	Naugle,	Wescott,
Eshback,	Korns,	Ogilvie,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Pursley,	Williams, E. S.,
Ewing,	Lee, K. B.,	Royer,	Wood,
Fox,	Lippincott,	Seltzer,	Worley,
Fulmer,	McCandless,	Stoner,	Wynd,
George,	McInroy,	Stroup,	Zimmerman,
Goodrich,	Magee,		

## NOT VOTING—19

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Elberg,	McKeever,	Strausser,
Breth,	Farabaugh,	Moran,	Sullivan,
Brown,	Gelfand,	O'Dell,	Thompson,
Cioffi,	Heffner,	O'Donnell, J. P.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1652, Printer's No. 1287  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1702, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto \* \* \*.

## RECONSIDERATION OF VOTE

Mr. COMER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. COMER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Table of Contents, page 6, fifteenth line of Table of Contents, by striking out "needs" and inserting: "Roads."

Amend Table of Contents, page 13, ninth line of Table of Contents, by striking out "Shurbs" and inserting: "Shrubs."

Amend Sec. 502, page 25, line 2 by inserting after "system": "The provisions of this section shall not be construed to authorize the secretary to abandon any highway in any city, borough, town or township, which highway had previously been taken over or constructed pursuant to an act of Assembly providing for the taking over or construction and maintenance of such highway, and the Commonwealth shall continue responsible for the maintenance of all such highways until the General Assembly shall provide for their elimination from the State Highway System."

Amend Bill, page 29, by inserting after line 20: "Section 704. Width of State Highways.—The width of a highway shall not be less than thirty-three feet and shall have such maximum width as shall be determined necessary by the secretary."

Amend Sec. 901, page 40, by inserting between lines 2 and 3: "In the establishment and construction of limited access State highways in urban areas if any portion of such highway is elevated, the secretary or the municipality in which the highway is situate, or both, may provide for the installation, maintenance and repair of equipment for adequate lighting under such elevated portions."

"The secretary shall permit parking under the elevated portion of any limited access State highway where such parking does not require the construction of facilities therefor and he or the municipality wherein the highway is situate, or both, shall have authority to construct and maintain parking facilities under the elevated portion of any limited access State highway. All such parking shall be subject to such rules and regulations as the Secretary of Highways or the municipality wherein the highway is situate, or both, may deem proper."

Amend Sec. 903, page 40, line 15 by inserting after "highway": "if such exclusion be necessary to obtain Federal aid funds for the construction or reconstruction of such limited access highway."

Amend Sec. 903, page 40, lines 15 to 18, by striking out "The secretary may also permit" in line 15 and all of lines 16 to 18.

Amend Sec. 1501, page 57, line 3, by striking out "the" and inserting: "The."

Amend Sec. 1501, page 57, lines 5 and 6 by striking out "federal bureau of standards" and inserting: "Federal Bureau of Standards."

Amend Sec. 1501, page 57, line 6 by striking out "federal or state" and inserting: "Federal or State."

Amend Sec. 1501, page 57, line 8 by striking out "the" where it appears the second time and inserting: "The."

Amend Sec. 1502, page 57, line 11 by striking out "utility facilities" and inserting: "Utility Facilities."

Amend Sec. 1503, page 58, lines 9 and 10 by striking out "removal of utility facilities by order of secretary" and inserting: "Removal of Utility Facilities by Order of Secretary."

Amend Sec. 1507, page 62, lines 5 to 10, by striking out all of lines 5 to 9 and "any case" in line 10, and inserting: "relocate any water lines, sanitary and storm-water sewers, gas mains, fire, police and communication systems and facilities, transit lines and facilities and lighting systems owned, and/or operated, as a public utility by a municipality or municipality authority, and located upon, under, across, or over a highway. The secretary may enter into agreements with any municipality or municipality authority for the sharing in the costs of the change, alteration, reconstruction, adjustment, or relocation of such structures except such highways as form part of the Interstate Highway System in which case the costs of the change, alteration, reconstruction, adjustment, or relocation of such structures shall be borne in full by the Commonwealth. In any case, exclusive of roads forming part of the Interstate Highway System."

Amend Sec. 2212, page 90, line 4 by striking out "anno domini" and inserting: "Anno Domini."

Amend Sec. 2302, page 126, line 20 by striking out the triple quotation marks after "viewers" and inserting double quotation marks.

Amend Sec. 2302, page 127, line 3 by inserting quotation marks after "name."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?  
They were agreed to.  
On the question,  
Will the House agree to the bill on third reading as amended?  
It was agreed to.  
Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection  
House Bill No. 1726, Printer's No. 1306  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 1794, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), requiring plastic bags to be marked with a warning label.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—182

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Galley,	Gallagher, Garlock, George, Gibb, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Helm, Henzel, Hocker, Holliday, Holt, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald,	McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., Odorliso, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovansek,	Royer, Rudisill, Sakulsky, Scarcelli, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Stroup, Taylor, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, E. S., Willard, Willaredt, Wilt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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NAYS—10

Davis, Fetterolf, Fulmer,	Goldstein, Horst, Lippincott,	Merry, Tompkins,	Williams, A. D., Jr., Worley,
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NOT VOTING—16

Ashton, Boris, Breth, Brown,	Cooper, Eilberg, Gelfand, Heffner,	Knecht, Moran, O'Dell, O'Donnell, J. P.,	Snare, Strausser, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 1802, entitled:

An Act authorizing paid members of fire departments in third class cities to bargain collectively with the cities.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Anderson, Arlene, Auker, Balthaser, Bell, Blair, Boles, Bonner, Bower, Branca, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennis, Dennison, Devlin, Eshback, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Hamilton, Heavey, Holliday, Holt, Irviss, Isaacs, Jenkins, Jim, Jones, F. R., Jump, Kee, Kamyk, Kernaghan, Kessler, Kornick, Kovolenko, Kubitsky, Lamb, Leonard, Limper, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, McLaughlin, Machmer,	Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. A., Odorliso, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Riley,	Rovansek, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Taylor, Trusio, Varallo, Varner, Verona, Walsh, Wargo, Welsh, Wheeler, Williams, A. D., Jr., Worley, Yatron, Yetter, Andrews, Speaker
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NAYS—59

Barton, Bowman, Brenninger, Davis, Donahue, Donaldson, Down, Edwards, Eshleman, Ewing, Fetterolf, Fox, George, Gibb, Goldstein,	Goodrich, Gramlich, Guthrie, Helm, Henzel, Hocker, Horst, Johnson, A. W., Johnson, R., Jones, T. H. W., Kelser, Kooker, Korns, Lee, A. M., Lee, K. B.,	Lippincott, McCandless, McInroy, Magee, Merry, Miller, B. Z., Murray, H. P., Murray, P. G., Naugle, Ogilvie, Petrosky, Price, Rigby, Seltzer, Stoner,	Stroup, Tompkins, Ujobai, Wall, Weidner, Wescott, Whittaker, Williams, E. S., Willard, Willaredt, Wilt, Wood, Wynd, Zimmerman,
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NOT VOTING—20

Agnew, Ashton, Boris, Breth, Brown,	Cooper, Eilberg, Gelfand, Heffner, Knecht,	Light, McKeever, Moran, O'Dell, O'Donnell, J. P.,	Royer, Snare, Strausser, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2139, entitled:

An Act regulating and prescribing the working hours of police officers employed by any county city except cities of the second class and Philadelphia borough town or township having a regular police force of twenty or more police officers.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—148

Anderson,	Galley,	McDonald,	Rigby,
Arlene,	Gallagher,	McInroy,	Riley,
Auker,	Goodrich,	McLaughlin,	Rovanse,
Balthaser,	Gramlich,	Machmer,	Rudisill,
Bell,	Guthrie,	Mahan,	Sakulsky,
Blair,	Hamilton,	Markley,	Scarcelli,
Boles,	Heavey,	Maxwell,	Schaaf,
Bonner,	Helm,	Meholchick,	Schuster,
Bower,	Hocker,	Mihm,	Schwartz,
Branca,	Holliday,	Miller, B. Z.,	Sherman,
Burns,	Holt,	Miller, H. G.,	Shupnik,
Capano,	Irvis,	Mills,	Silverman,
Capitolo,	Jenkins,	Monroe,	Snider,
Cianfrani,	Jim,	Muldowney,	Stank,
Cioffi,	Johnson, A. W.,	Mullen,	Steckel,
Clarke,	Johnson, R.,	Munley,	Stevens,
Comer,	Jones, F. R.,	Murphy, P. J.,	Stewart,
Crossin,	Jones, T. H. W.,	Murray, H. P.,	Stimmel,
Curwood,	Jump,	Murray, J. J.,	Stone,
Dengler,	Kee,	Musto,	Taylor,
Dennis,	Kamyk,	Naugle,	Trusio,
Devlin,	Keiser,	Needham,	Ujobai,
Donahue,	Kernaghan,	Nelson,	Varallo,
Donaldson,	Kessler,	O'Donnell, J. A.,	Varnier,
Dougherty,	Kornick,	O'Neil,	Verona,
Edwards,	Kovolenko,	Parlante,	Walsh,
Eshback,	Kubitsky,	Pashley,	Wargo,
Ewing,	Lamb,	Perry, H. H.,	Weidner,
Farabaugh,	Lee, A. M.,	Perry, P. E.,	Welsh,
Filo,	Lee, K. B.,	Petrosky,	Wescott,
Fineman,	Leonard,	Polaski,	Wheeler,
Floyd,	Limper,	Polanski,	Whittaker,
Flynn,	Lopresti,	Prendergast,	Williams, A. D., Jr.,
Foerster,	Luigard,	Price,	Williams, E. S.,
Frank,	Lutty,	Reibman,	Willard,
Frascella,	McCann,	Reidenbach,	Willaredt,
Fulmer,	McCormack,	Renwick,	Wilt,
			Wood,
			Worley,
			Wynd,
			Yatron,
			Yetter,
			Zimmerman,
			Andrews,
			Speaker

#### NAYS—41

Agnew,	Garlock,	McCandless,	Stoner,
Barton,	George,	Magee,	Stroup,
Bowman,	Gibb,	Merry,	Tompkins,
Brenninger,	Goldstein,	Murphy, A. J., Jr.	Wall,
Buchanan,	Henzel,	Murray, P. G.,	Whittaker,
Davis,	Horst,	Odorisio,	Willard,
Dennison,	Isaacs,	Ogilvie,	Willaredt,
Down,	Kooker,	Pursley,	Wilt,
Eshleman,	Korns,	Royer,	Wood,
Fetterolf,	Lippincott,	Seltzer,	Wynd,
Fox,			

#### NOT VOTING 19

Ashton,	Ellberg,	McKeever,	Strausser,
Boris,	Gelfand,	Moran,	Sullivan,
Breth,	Heffner,	O'Dell,	Thompson,
Brown,	Knecht,	O'Donnell, J. P.	Zimmerman,
Cooper,	Light,	Snare,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—192

Agnew,	Galley,	McCormack,	Rovanse,
Anderson,	Gallagher,	McDonald,	Royer,
Arlene,	Garlock,	McInroy,	Rudisill,
Auker,	George,	McKeever,	Sakulsky,
Balthaser,	Gibb,	McLaughlin,	Scarcelli,
Barton,	Goldstein,	Machmer,	Schaaf,
Bell,	Goodrich,	Magee,	Schuster,
Blair,	Gramlich,	Mahan,	Schwartz,
Boles,	Guthrie,	Markley,	Seltzer,
Bonner,	Hamilton,	Maxwell,	Sherman,
Bower,	Heavey,	Meholchick,	Shupnik,
Bowman,	Helm,	Merry,	Silverman,
Branca,	Henzel,	Mihm,	Snider,
Brenninger,	Hocker,	Miller, B. Z.,	Stank,
Buchanan,	Holliday,	Miller, H. G.,	Steckel,
Burns,	Holt,	Mills,	Stevens,
Capano,	Horst,	Monroe,	Stewart,
Capitolo,	Irvis,	Muldowney,	Stimmel,
Cianfrani,	Isaacs,	Mullen,	Stone,
Cioffi,	Jenkins,	Munley,	Stoner,
Clarke,	Jim,	Murphy, A. J., Jr.	Stroup,
Comer,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Crossin,	Johnson, R.,	Murray, H. P.,	Tompkins,
Curwood,	Jones, F. R.,	Murray, J. J.,	Trusio,
Davis,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Dengler,	Jump,	Musto,	Varallo,
Dennis,	Kee,	Naugle,	Varnier,
Dennison,	Kamyk,	Needham,	Verona,
Devlin,	Keiser,	Nelson,	Wall,
Donahue,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donaldson,	Kessler,	Odorisio,	Wargo,
Dougherty,	Kooker,	Ogilvie,	Weidner,
Down,	Kornick,	O'Neil,	Welsh,
Edwards,	Korns,	Parlante,	Wescott,
Eshback,	Kovolenko,	Pashley,	Wheeler,
Eshleman,	Kubitsky,	Perry, H. H.,	Whittaker,
Ewing,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Farabaugh,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Filo,	Lee, K. B.,	Polaski,	Willard,
Fineman,	Leonard,	Polanski,	Willaredt,
Floyd,	Light,	Prendergast,	Wilt,
Flynn,	Limper,	Price,	Wood,
Foerster,	Lippincott,	Pursley,	Worley,
Fox,	Lopresti,	Reibman,	Wynd,
Frank,	Luigard,	Reidenbach,	Yatron,
Frascella,	Lutty,	Renwick,	Yetter,
Fulmer,	McCandless,	Rigby,	Zimmerman,
	McCann,	Riley,	Andrews,
			Speaker

#### NAYS—0

#### NOT VOTING—16

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Ellberg,	Moran,	Strausser,
Breth,	Gelfand,	O'Dell,	Sullivan,
Brown,	Heffner,	O'Donnell, J. P.	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## APPROPRIATION BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, the Republican leadership has requested that the appropriation bills on third reading be passed over today, although we will come back for amendments to be offered to two particular bills.

They intend to caucus tomorrow because these are non-preferred and require a two-thirds vote, 140 affirmative votes for passage.

Mr. Speaker, we ask to go to page 19, bills on third reading.

## BILLS ON THIRD READING

There being no objection

House Bill No. 325, Printer's No. 999; and

House Bill No. 459, Printer's No. 1498,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 515, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—109

Agnew,	Fulmer,	Markley,	Rovansek,
Anderson,	Galley,	Maxwell,	Rudisill,
Arlene,	Gallagher,	Meholchick,	Sakulsky,
Boles,	Garlock,	Mihm,	Scarcelli,
Bonner,	Gibb,	Monroe,	Schuster,
Bowman,	Goldstein,	Muldowney,	Schwartz,
Branca,	Heavey,	Mullen,	Sherman,
Burns,	Holt,	Munley,	Shupnik,
Capano,	Irvls,	Murphy, A. J., Jr.	Silverman,
Cianfrani,	Jenkins,	Murray, J. J.,	Snider,
Cioffi,	Jim,	Musto,	Stank,
Clarke,	Jones, F. R.,	Needham,	Steckel,
Comer,	Jump,	O'Donnell, J. A.,	Stevens,
Crossin,	Kamyk,	O'Neill,	Stimmel,
Curwood,	Kornick,	Parlante,	Stone,
Dennis,	Kovolenko,	Pashley,	Taylor,
Devlin,	Kubitsky,	Perry, H. H.,	Varallo,
Donaldson,	Lamb,	Perry, P. E.,	Verona,
Dougherty,	Leonard,	Petrosky,	Wargo,
Eshback,	Limper,	Polaski,	Welsh,
Ewing,	Lopresti,	Polen,	Wheeler,
Filo,	Luigard,	Prendergast,	Williams, A.D., Jr.,
Fineman,	Lutty,	Reibman,	Willard,
Floyd,	McCandless,	Reidenbach,	Wilt,
Flynn,	McCann,	Renwick,	Yetter,
Foerster,	McCormack,	Rigby,	Andrews,
Frank,	McLaughlin,	Riley,	Speaker
Frascella,	Mahan,		

## NAYS—76

Auker,	Guthrie,	Light,	Seltzer,
Balthaser,	Hamilton,	Lippincott,	Stewart,
Barton,	Helm,	McDonald,	Stoner,
Bell,	Henzel,	McInroy,	Stroup,
Blair,	Hocker,	Machmer,	Tompkins,
Bower,	Holliday,	Magee,	Truslo,
Brenninger,	Horst,	Merry,	Ujobai,
Davis,	Isaacs,	Miller, B. Z.,	Varner,
Dengler,	Johnson, A. W.,	Miller, H. G.,	Wall,
Dennison,	Johnson, R.,	Murphy, P. J.,	Walsh,
Donahue,	Jones, T. H. W.,	Murray, H. P.,	Weidner,
Down,	Kee,	Murray, P. G.,	Wescott,
Edwards,	Kelser,	Nelson,	Whittaker,
Eshleman,	Kernaghan,	Odorisio,	Williams, E. S.,

Farabaugh,  
Fetterolf,  
George,  
Goodrich,  
Gramlich,

Kessler,  
Kooker,  
Korns,  
Lee, A. M.,  
Lee, K. B.,

Ogilvie,  
Price,  
Pursley,  
Royer,  
Schaaf,

Willaredt,  
Wood,  
Worley,  
Wynd,  
Zimmerman,

## NOT VOTING—23

Ashton,  
Boris,  
Breth,  
Brown,  
Buchanan,  
Capitolo,

Cooper,  
Ellberg,  
Fox,  
Gelfand,  
Heffner,  
Knecht,

McKeever,  
Mills,  
Moran,  
Naugle,  
O'Dell,  
O'Donnell, J. P.

Snare,  
Strausser,  
Sullivan,  
Thompson,  
Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 574, entitled:

An Act amending the "Public School Code of 1949" approved August 9, 1955 (P. L. 30), eliminating residence requirements for board secretaries.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. GAILEY. Mr. Speaker, I move that this bill be re-committed to the Committee on Education for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 767, entitled:

An Act amending the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168), excluding the Commonwealth and its political subdivisions from the definition of employer.

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Labor Relations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 779, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), defining "resident" and further regulating eligibility for assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—127

Anderson,  
Arlene,  
Auker,  
Balthaser,

Frascella,  
Galley,  
Gallagher,  
Garlock,

Luigard,  
Lutty,  
McCann,  
McDonald,

Reldenbach,  
Renwick,  
Rigby,  
Riley,



Blair,	George,	McKeever,	Rovansek,
Boles,	Gramlich,	McLaughlin,	Rudisill,
Bonner,	Guthrie,	Machmer,	Sakulsky,
Bower,	Hamilton,	Markley,	Scarcelli,
Branca,	Heavey,	Maxwell,	Schaaf,
Buchanan,	Helm,	Meholchick,	Schuster,
Burns,	Holt,	Mihm,	Schwartz,
Capano,	Horst,	Mills,	Sherman,
Capitolo,	Irviss,	Monroe,	Shupnik,
Cianfrani,	Jenkins,	Muldowney,	Silverman,
Cioffi,	Jim,	Mullen,	Snider,
Clarke,	Johnson, A. W.,	Munley,	Stank,
Comer,	Jones, F. R.,	Murphy, A. J., Jr.	Stevens,
Crossin,	Jones, T. H. W.,	Murray, J. J.,	Stewart,
Curwood,	Jump,	Musto,	Stone,
Dengler,	Kamyk,	Needham,	Taylor,
Dennis,	Kernaghan,	Nelson,	Trusio,
Dennison,	Kessler,	O'Donnell, J. A.,	Varallo,
Devlin,	Kornick,	O'Neill,	Varner,
Dougherty,	Kovolenko,	Parlante,	Verona,
Edwards,	Kubitsky,	Pashley,	Wargo,
Farabaugh,	Lamb,	Perry, H. H.,	Welsh,
Filo,	Lee, K. B.,	Perry, P. E.,	Wheeler,
Fineman,	Leonard,	Petrosky,	Worley,
Floyd,	Light,	Polaski,	Yatron,
Flynn,	Limper,	Polen,	Yetter,
Foerster,	Lippincott,	Prendergast,	Andrews,
Frank,	Lopresti,	Reibman,	Speaker

## NAYS—65

Agnew,	Goldstein	Mahan,	Stoner,
Barton,	Goodrich,	Merry,	Stroup,
Bell,	Henzel,	Miller, B. Z.,	Tompkins,
Bowman,	Hocker,	Miller, H. G.,	Ujobal,
Brenninger,	Holliday,	Murphy, P. J.,	Wall,
Davis,	Isaacs,	Murray, H. P.,	Walsh,
Donahue,	Johnson, R.,	Murray, P. G.,	Weidner,
Donaldson,	Kee,	Naugle,	Wescott,
Down,	Kelser,	Odorisio,	Whittaker,
Eshback,	Kooker,	Ogilvie,	Williams, A. D., Jr.,
Eshleman,	Korns,	Price,	Williams, E. S.,
Ewing,	Lee, A. M.,	Pursley,	Willard,
Fetterolf,	McCandless,	Royer,	Willaredt,
Fox,	McCormack,	Seltzer,	Wilt,
Fulmer,	McInroy,	Steckel,	Wood,
Gibb,	Magee,	Stimmel,	Wynd,
			Zimmerman,

## NOT VOTING—16

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Ellberg,	Moran,	Strausser,
Breth,	Gelfand,	O'Dell,	Sullivan,
Brown,	Heffner,	O'Donnell, J. P.	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 814, Printer's No. 1512, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1109, entitled:

An Act establishing as State Highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties of the second class and requiring their construction repair and maintenance by the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. FILO asked unanimous consent to offer amendments at this time.

The SPEAKER, the amendments will be read by the Clerk for information.

Amend Sec. 1, page 29, line 18, by striking out "NELSON RUN ROAD BRIDGE."

Amend Sec. 1, page 29, by inserting between lines 18 and 19 "Nelson Run Road Bridge."

Amend Sec. 2, page 36, line 2, by striking out "1960" and inserting: "1961,"

The SPEAKER, Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection

House Bill No. 1205, Printer's No. 1317 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1651, entitled:

An Act amending the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168) changing the definition of employer deleting certain provisions increasing the discretionary power of the board and extending the time limits for certain procedures.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—128

Anderson,	Fox,	McKeever,	Renwick,
Arlene,	Frank,	McLaughlin,	Rigby,
Auker,	Frascella,	Machmer,	Riley,
Balthaser,	Fulmer,	Maxwell,	Rovansek,
Bell,	Galley,	Meholchick,	Rudisill,
Blair,	Gallagher,	Mihm,	Sakulsky,
Boles,	Garlock,	Miller, H. G.,	Scarcelli,
Bonner,	Guthrie,	Mills,	Schaaf,
Bower,	Hamilton,	Monroe,	Schuster,
Branca,	Heavey,	Muldowney,	Schwartz,
Buchanan,	Holt,	Mullen,	Sherman,
Burns,	Irviss,	Munley,	Shupnik,
Capano,	Isaacs,	Murphy, A. J., Jr.	Silverman,
Capitolo,	Jenkins,	Murphy, P. J.,	Snider,
Cianfrani,	Jim,	Murray, J. J.,	Stank,
Cioffi,	Jones, F. R.,	Musto,	Stevens,
Clarke,	Kamyk,	Naugle,	Stone,
Comer,	Kernaghan,	Needham,	Taylor,
Crossin,	Kornick,	Nelson,	Trusio,
Curwood,	Korns,	O'Donnell, J. A.,	Varallo,
Dengler,	Kovolenko,	Odorisio,	Varner,
Dennis,	Kubitsky,	O'Neill,	Verona,
Dennison,	Lamb,	Parlante,	Walsh,
Devlin,	Leonard,	Pashley,	Wargo,
Dougherty,	Light,	Perry, H. H.,	Welsh,
Eshback,	Limper,	Perry, P. E.,	Wheeler,
Farabaugh,	Lopresti,	Petrosky,	Worley,
Filo,	Luigard,	Polaski,	Wynd,
Fineman,	Lutty,	Polen,	Yatron,
Floyd,	McCann,	Prendergast,	Yetter,
Flynn,	McCormack,	Reibman,	Zimmerman,
Foerster,	McDonald,	Reidenbach,	Andrews,
			Speaker

## NAYS—64

Agnew,	Gramlich,	Lippincott,	Stewart,
Barton,	Helm,	McCandless,	Stimmel,
Bowman,	Henzel,	McInroy,	Stoner,
Brenninger,	Hocker,	Magee,	Stroup,
Davis,	Holliday,	Mahan,	Tompkins,
Donahue,	Horst,	Markley,	Ujobai,
Donaldson,	Johnson, A. W.,	Merry,	Wall,
Down,	Johnson, R.,	Miller, B. Z.,	Weidner,
Edwards,	Jones, T. H. W.,	Murray, H. P.,	Wescott,
Eshleman,	Jump,	Murray, P. G.,	Whittaker,
Ewing,	Kee,	Ogilvie,	Williams, A. D., Jr.,
Fetterolf,	Kelser,	Price,	Williams, E. S.,
George,	Kessler,	Pursley,	Willard,
Gibb,	Kooker,	Royer,	Willaredt,
Goldstein,	Lee, A. M.,	Seltzer,	Wilt,
Goodrich,	Lee, K. B.,	Steckel,	Wood,

## NOT VOTING—16

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Eilberg,	Moran,	Strausser,
Breth,	Gelfand,	O'Dell,	Sullivan,
Brown,	Heffner,	O'Donnell, J. P.	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1861, Printer's No. 1054;

House Bill No. 1906, Printer's No. 1292;

House Bill No. 1940, Printer's No. 1057 and

House Bill No. 1941, Printer's No. 1058

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1998, entitled:

An Act amending the act of June 3, 1919 (P. L. 366) entitled "An act reorganizing the Department of State Police creating therein a Bureau of Fire Protection \* \* \*" further providing for the physical examination of applicants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and the nays were taken and were as follows:

## YEAS—192

Agnew,	Gallagher,	McDonald,	Royer,
Anderson,	Garlock,	McInroy,	Rudisill,
Arlene,	George,	McKeever,	Sakulsky,
Auker,	Gibb,	McLaughlin,	Scarcelli,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Boles,	Hamilton,	Maxwell,	Sherman,
Bonner,	Heavey,	Meholchick,	Shupnik,
Bower,	Helm,	Merry,	Silverman,
Bowman,	Henzel,	Mihm,	Snider,
Branca,	Hocker,	Miller, B. Z.,	Stank,
Brenninger,	Holliday,	Miller, H. G.,	Steckel,
Buchanan,	Holt,	Mills,	Stevens,
Burns,	Horst,	Monroe,	Stewart,
Capano,	Irvis,	Muldowney,	Stimmel,
Capitolo,	Isaacs,	Mullen,	Stone,
Cianfrani,	Jenkins,	Munley,	Stoner,
Cioffi,	Jim,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Comer,	Johnson, R.,	Murray, H. P.	Tompkins,
Crossin,	Jones, F. R.,	Murray, J. J.,	Trusio,

Curwood,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Davis,	Jump,	Musto,	Varallo,
Dengler,	Kamyk,	Naugle,	Varner,
Dennis,	Kee,	Needham,	Verona,
Dennison,	Kelser,	Nelson,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donahue,	Kessler,	Odorisio,	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weldner,
Dougherty,	Kornick,	O'Neill,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Wheeler,
Eshback,	Kubitsky,	Perry, H. H.,	Whittaker,
Eshleman,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Polaski,	Willard,
Fetterolf,	Leonard,	Polen,	Willaredt,
Filo,	Light,	Prendergast,	Wilt,
Frank,	Limper,	Price,	Wood,
Fineman,	Lippincott,	Pursley,	Worley,
Floyd,	Lopresti,	Reibman,	Wynd,
Flynn,	Luigard,	Reidenbach,	Yatron,
Foerster,	Lutty,	Renwick,	Yetter,
Fox,	McCandless,	Rigby,	Zimmerman,
Frascella,	McCann,	Riley,	Andrews,
Fulmer,	McCormack,	Rovanse,	Speaker
Galley,			

## NAYS—0

## NOT VOTING—16

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Eilberg,	Moran,	Strausser,
Breth,	Gelfand,	O'Dell,	Sullivan,
Brown,	Heffner,	O'Donnell, J. P.,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 2090, Printer's No. 1118 and

House Bill No. 2120, Printer's No. 1400

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2146, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the combination of counties into a single unit of county administration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—159

Agnew,	George,	McLaughlin,	Rovanse,
Anderson,	Goldstein,	Machmer,	Royer,
Arlene,	Goodrich,	Magee,	Rudisill,
Auker,	Gramlich,	Markley,	Sakulsky,
Balthaser,	Guthrie,	Maxwell,	Scarcelli,
Bell,	Hamilton,	Meholchick,	Schaaf,
Blair,	Heavey,	Mihm,	Schuster,
Boles,	Helm,	Miller, H. G.,	Schwartz,
Bonner,	Henzel,	Mills,	Sherman,
Bower,	Hocker,	Monroe,	Shupnik,
Bowman,	Holt,	Muldowney,	Silverman,
Branca,	Irvis,	Mullen,	Snider,
Buchanan,	Isaacs,	Munley,	Stank,
Burns,	Jenkins,	Murphy, A. J., Jr.,	Steckel,
Capano,	Jim,	Murphy, P. J.,	Stevens,
Capitolo,	Johnson, A. W.,	Murray, H. P.,	Stewart,
Cianfrani,	Jones, F. R.,	Murray, J. J.,	Stimmel,



Cioffi, Clarke Comer, Crossin, Curwood, Dengler, Dennis, Devlin, Donaldson, Dougherty, Eshleman, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Galley, Gallagher, Garlock,	Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Kornick, Kovolenko, Kubitsky, Lamb, Lee, A. M., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald, McKeever,	Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Rigby, Riley,	Stone, Stoner, Taylor, Trusio, Ujobal, Varallo, Verona, Walsh, Wargo, Weidner, Welsh, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—33

Barton, Brenninger, Davis, Dennison, Donahue, Down, Edwards, Eshback, Ewing,	Fetterolf, Fulmer, Gibb, Holliday, Horst, Johnson, R., Kooker, Korns,	Lee, K. B., Lippincott, McInroy, Mahan, Merry, Miller, B. Z., Pursley, Seltzer,	Stroup, Tompkins, Varner, Wall, Wescott, Willard, Willardt, Wilt,
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## NOT VOTING—16

Ashton, Boris, Breth, Brown,	Cooper, Eilberg, Gelfand, Heffner,	Knecht, Moran, O'Dell, O'Donnell, J. P.	Snare, Strausser, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2161, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing certain signs to be displayed on the tops of buildings forming part of the licensed premises of distributors or importing distributors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—162

Agnew, Anderson, Arlene, Balthaser, Bell, Blair, Boies, Bonner, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke,	Galley, Gallagher, Garlock, George, Goldstein, Goodrich, Guthrie, Hamilton, Heavey, Helm, Hocker, Holliday, Holt, Horst, Irvie, Isaacs, Jenkins, Jim, Johnson, A. W.,	McCormack, McDonald, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P.	Renwick, Riley, Rovasek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stone, Taylor,
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Comer, Crossin, Curwood, Dengler, Dennis, Dennison, Devlin, Dougherty, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Fulmer,	Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCann,	Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, E. S., Williams, A. D., Jr., Willardt, Wood, Yatron, Yetter, Andrews, Speaker
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## NAYS—30

Auker, Barton, Davis, Donahue, Donaldson, Fetterolf, Fox, Gibb,	Gramlich, Henzel, Johnson, R., Kooker, Lee, A. M., McCandless, McInroy, Magee,	Merry, Miller, H. G., Rigby, Seltzer, Stevens, Stimmel, Stoner,	Stroup, Wall, Willard, Wilt, Worley, Wynd, Zimmerman,
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## NOT VOTING—16

Ashton, Boris, Breth, Brown,	Cooper, Eilberg, Gelfand, Heffner,	Knecht, Moran, O'Dell, O'Donnell, J. P.,	Snare, Strausser, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 2165, Printer's No. 1532, was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469), entitled "An act providing for commissioning as police officers certain employees of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing the duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boies,	Gallagher, Garlock, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton,	McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Schwartz, Seltzer, Sherman,
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Bonner,	Heavey,	Meholchick,	Shupnik,
Bower,	Helm,	Merry,	Silverman,
Bowman,	Henzel,	Mihm,	Snider,
Branca,	Hocker,	Miller, B. Z.,	Stank,
Brenninger,	Holliday,	Miller, H. G.,	Steckel,
Buchanan,	Holt,	Mills,	Stevens,
Burns,	Horst,	Monroe,	Stewart,
Capano,	Irviss,	Muldowney,	Stimmel,
Capitolo,	Isaacs,	Mullen,	Stone,
Cianfrani,	Jenkins,	Munley,	Stoner,
Cioffi,	Jim,	Murphy, A. J., Jr.	Stroup,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Comer,	Johnson, R.,	Murray, H. P.,	Tompkins,
Crossin,	Jones, F. R.,	Murray, J. J.,	Trusio,
Curwood,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Davis,	Jump,	Musto,	Varallo,
Dengler,	Kamyk,	Naugle,	Varner,
Dennis,	Kee,	Needham,	Verona,
Dennison,	Kelser,	Nelson,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donahue,	Kessler,	Odorisio,	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weidner,
Dougherty,	Kornick,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Wheeler,
Eshback,	Kubitsky,	Perry, H. H.,	Whittaker,
Eshleman,	Lamb,	Perry, P. E.,	Williams, A.D., Jr.,
Ewing,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Polaski,	Willard,
Fetterolf,	Leonard,	Polen,	Willaredt,
Filo,	Light,	Prendergast,	Wilt,
Fineman,	Limper,	Price,	Wood,
Floyd,	Lippincott,	Pursley,	Worley,
Flynn,	Lopresti,	Reibman,	Wynd,
Foerster,	Luigard,	Reidenbach,	Yatron,
Fox,	Lutty,	Renwick,	Yetter,
Frank,	McCandless,	Rigby,	Zimmerman,
Frascella,	McCann,	Riley,	Andrews,
Fulmer,	McCormack,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—16

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Eilberg,	Moran,	Strausser,
Breth,	Gelfand,	O'Dell,	Sullivan,
Brown,	Heffner,	O'Donnell, J. P.	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2193, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—192

Agnew,	Gallagher,	McInroy,	Royer,
Anderson,	Garlock,	McDonald,	Rudisill,
Arlene,	George,	McKeever,	Sakulsky,
Auker,	Gibb,	McLaughlin,	Scarelli,
Balthaser,	Goldstein,	Machmer,	Schaaf,
Barton,	Goodrich,	Magee,	Schuster,
Bell,	Gramlich,	Mahan,	Schwartz,
Blair,	Guthrie,	Markley,	Seltzer,
Boles,	Hamilton,	Maxwell,	Sherman,
Bonner,	Heavey,	Meholchick,	Shupnik,
Bower,	Helm,	Merry,	Silverman,

Bowman,	Henzel,	Mihm,	Snider,
Branca,	Hocker,	Miller, B. Z.,	Stank,
Brenninger,	Holliday,	Miller, H. G.,	Steckel,
Buchanan,	Holt,	Mills,	Stevens,
Burns,	Horst,	Monroe,	Stewart,
Capano,	Irviss,	Muldowney,	Stimmel,
Capitolo,	Isaacs,	Mullen,	Stone,
Cianfrani,	Jenkins,	Munley,	Stoner,
Cioffi,	Jim,	Murphy, A. J., Jr.,	Stroup,
Clarke,	Johnson, A. W.,	Murphy, P. J.,	Taylor,
Comer,	Johnson, R.,	Murray, H. P.	Tompkins,
Crossin,	Jones, F. R.,	Murray, J. J.,	Trusio,
Curwood,	Jones, T. H. W.,	Murray, P. G.,	Ujobai,
Davis,	Jump,	Musto,	Varallo,
Dengler,	Kamyk,	Naugle,	Varner,
Dennis,	Kee,	Needham,	Verona,
Dennison,	Kelser,	Nelson,	Wall,
Devlin,	Kernaghan,	O'Donnell, J. A.,	Walsh,
Donahue,	Kessler,	Odorisio,	Wargo,
Donaldson,	Kooker,	Ogilvie,	Weidner,
Dougherty,	Kornick,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kovolenko,	Pashley,	Wheeler,
Eshback,	Kubitsky,	Perry, H. H.,	Whittaker,
Eshleman,	Lamb,	Perry, P. E.,	Williams, A.D., Jr.,
Ewing,	Lee, A. M.,	Petrosky,	Williams, E. S.,
Farabaugh,	Lee, K. B.,	Polaski,	Willard,
Fetterolf,	Leonard,	Polen,	Willaredt,
Filo,	Light,	Prendergast,	Wilt,
Fineman,	Limper,	Price,	Wood,
Floyd,	Lippincott,	Pursley,	Worley,
Flynn,	Lopresti,	Reibman,	Wynd,
Foerster,	Luigard,	Reidenbach,	Yatron,
Fox,	Lutty,	Renwick,	Yetter,
Frank,	McCandless,	Rigby,	Zimmerman,
Frascella,	McCann,	Riley,	Andrews,
Fulmer,	McCormack,	Rovansek,	Speaker
Galley,			

## NAYS—0

## NOT VOTING—16

Ashton,	Cooper,	Knecht,	Snare,
Boris,	Eilberg,	Moran,	Strausser,
Breth,	Gelfand,	O'Dell,	Sullivan,
Brown,	Heffner,	O'Donnell, J. P.,	Thompson,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1, page 2, line 1, by inserting after "bien-nium": "and executive authorization made according to law."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,



Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### APPROPRIATION BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1755 on page 11 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1755, entitled:

A supplement to the act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 3, line 2, by inserting after "practicable": "the sum of thirty-three million seven hundred thirty-two thousand three hundred thirty-five dollars (\$33,732,335)."

Amend Sec. 1, page 3, line 7, by inserting after "products": "the sum of one hundred fifty thousand dollars (\$150,000)."

Amend Sec. 1, page 3, line 10, by inserting after "State": "the sum of one hundred thousand dollars (\$100,000)."

Amend Sec. 1, page 3, line 20, by inserting after "Industries": "the sum of seventy thousand dollars (\$70,000)."

Amend Sec. 1, page 4, line 8, by inserting after "industries": "the sum of thirty-five thousand dollars (\$35,000)."

Amend Sec. 1, page 4, line 10, by inserting after "industries": "the sum of thirty-two thousand five hundred dollars (\$32,500)."

Amend Sec. 1, page 4, line 13, by inserting after "industries": "the sum of fifty-seven thousand five hundred dollars (\$57,500)."

Amend Sec. 1, page 5, line 2, by inserting after "industry": "the sum of fifty thousand dollars (\$50,000)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILL ON THIRD READING POSTPONED

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2291 on page 28 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House Bill No. 2291, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the sale of starter pistols to minors.

On the question,

Will the House agree to the bill on third reading?

Mr. LIPPINCOTT asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 626.1), page 2, line 6, by inserting after "both": "Nothing in this section, however, shall prohibit the use of said starter pistols for the purpose of starting or officiating at track and field events, athletic or endurance contests, or other similar events."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILLS PASSED OVER

The remaining bills not considered on today's calendar were passed over at the request of Mr. McCANN.

### BILL INTRODUCED AND REFERRED

By Messrs. HELM and DOUGHERTY.

HOUSE BILL No. 2348.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the placing of blood type on operator's license card.

Referred to the Committee on Motor Vehicles.

### RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY.

RESOLUTION No. 107.

In the House of Representatives, August 31, 1959.

Whereas, I, Francis Worley, as the State Representative for President Eisenhower's home district in Pennsylvania, and firmly dedicated to the work of International Peace; and

Whereas, The President of the United States as chief architect of our foreign policy has seen fit to invite the Premier of the Soviet Union to visit the United States and has stated that, in accordance with expressions received from the Soviet Government as to the proper treatment to be accorded the visitor, Mr. Khrushchev should be treated as holding the rank of Chief of State; and

Whereas, It appears that the Congress of the United States will not be in session during Mr. Khrushchev's visit and it further appears that the Soviet Premier will not have an opportunity to address or observe any American Legislative Body as is customary for visiting chiefs of State; and

Whereas, The President has declared that a prime objective of inviting Mr. Khrushchev to this country is to enable the leader of the Soviet Union to see American democracy in action and to measure and appraise the strength of a united, non-communist, American people; and

Whereas, The legislative process is a keystone of the democracy in America and an American legislative body

the antithesis of the parliaments of the Soviet Union; therefore be it

Resolved, That in the interests of American foreign policy, and in furtherance of the values enumerated above, Nikita S. Khrushchev, Premier of the Union of Soviet Socialist Republic, be and hereby is invited to address the House of Representatives of the Commonwealth of Pennsylvania on a suitable date to be arranged; and be it further

Resolved, That copies of this resolution be immediately transmitted to the President of the United States, the Vice-President of the United States, the Secretary of State and the Soviet Ambassador to the United States.

Referred to the Committee on Rules.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 972.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing technical provisions with respect to plans required to be submitted to the County Planning Commission by defining a "sub-divider" and "developer."

Referred to the Committee on Counties.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 935.

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessments law" specifying when tax levies shall first be based on assessments from valuations made with use of the permanent system of records.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 2201 and 2237.

### REPORTS FROM COMMITTEE

Mr. REIDENBEACH from the Committee on Appropriations, re-reported as committed, House Bill No. 1335, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the powers and duties of the Department of Agriculture.

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employees under Shipping Articles."

Mr. REIDENBACH from the Committee on Appropriations, re-reported as committed, Senate Bill No. 373, entitled:

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors, sellers, lessors and users of films, reels or views disapproval of films, reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act.

### COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES, Mr. Snider, Chairman, Room 131-A, Tuesday, September 1 at 11:00 a. m.

CITIES—THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Tuesday, September 1 at 10:30 a. m.

EDUCATION, Mrs. Reibman, Room 324, Tuesday, September 1 at 9:15 a. m.

JUDICIARY, Mr. Rudisill, Chairman, Room 131-D, Tuesday, September 1 at 10:00 a. m.

LAW AND ORDER, Mr. Mills, Chairman, Room 522, Tuesday, September 1 at 11:30 a. m.

STATE GOVERNMENT, Mr. Schwartz, Chairman, Room 522, Tuesday September 1 at 11:00 a. m.

WELFARE, Mr. Kamyk, Chairman, Room 331, Tuesday, September 1 at 10:00 a. m.

### ADJOURNMENT

Mr. JENKINS. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 1, 1959 at 11:00 a. m. E.S.T.

the House adjourned.

The motion was agreed to, and (at 6:20 p. m. E.S.T.) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, SEPTEMBER 1, 1959.

No. 87.

## SENATE

TUESDAY, SEPTEMBER 1, 1959.

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. CARL M. FULTON, Pastor of the Fellowship Baptist Church, Harrisburg, offered the following prayer:

Almighty and everlasting God, our dear Heavenly Father, we beseech Thee this day, seeking Thy Holy blessing to be upon this meeting of the Senate of our Commonwealth of Pennsylvania, to help them and give them courage for the great task that is before them this day.

Holy Father, we wish to thank Thee for our health and strength, and the health and strength of our families and friends. Help us to remember Thee, that Thou art the source of all our power and strength.

Holy Father, Thou hast bestowed upon us unsearchable riches in our great Commonwealth. We pray that Thou will continue to bless our great State with Thy glorious Spirit. Holy Father, help us to forget the things which cause us to have unnecessary trouble in our Commonwealth and Country. Holy Father, we thank Thee for the peace and prosperity that we are enjoying in our State and Nation. We pray that Thou will continue to grant us peace and prosperity for many years to come.

Holy Father, we pray Thy guidance upon all who are in authority. Keep them mindful of their sacred trust in public office. Grant them wisdom for their difficult tasks. Give to all a grateful heart for the advantages we are enjoying in our great State and Nation.

We ask these blessings in the Name of our strength and our Redeemer. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

## NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, pre-

sented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

## MEMBER OF THE STATE FOREST COMMISSION

September 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Reginald D. Forbes, R. D. 1, Ambler, Montgomery County, for reappointment as a member of the State Forest Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

## HOUSE MESSAGES

### SENATE BILL No. 66 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing the provisions relating to bond required in awarding contract.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

## HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 515, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction.

Which was committed to the Committee on Rules.

House Bill No. 516, entitled:

An Act to define, license and regulate, resident and non-resident auctioneers and apprentice auctioneers, in certain political subdivisions and revising, consolidating and making the law uniform relative thereto; creating the State Auctioneers Commission; conferring certain powers and duties on the commission and on certain departments and officers of the State and local governments; providing for the keeping of records and the inspection thereof, repealing certain inconsistent laws and providing penalties.

Which was committed to the Committee on Rules.



House Bill No. 779, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), defining "resident" and further regulating eligibility for assistance.

Which was committed to the Committee on Rules.

House Bill No. 1055, entitled:

An Act amending the "Barbers' License Law" approved June 19, 1931 (P. L. 589) altering the requirements for licensure, increasing penalties for unlicensed barbering or teaching, . . .

Which was committed to the Committee on Rules.

House Bill No. 1651, entitled:

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), changing the definition of employer, deleting certain provisions, increasing the discretionary power of the board and extending the time limits for certain procedures.

Which was committed to the Committee on Rules.

House Bill No. 1794, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) requiring plastic bags to be marked with a warning label.

Which was committed to the Committee on Rules.

House Bill No. 1802, entitled:

An Act authorizing paid members of fire departments in third class cities to bargain collectively with the cities.

Which was committed to the Committee on Rules.

House Bill No. 1998, entitled:

An Act amending the act of June 3, 1919 (P. L. 366), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; \* \* \*" further providing for the physical examination of applicants.

Which was committed to the Committee on Rules.

House Bill No. 2139, entitled:

An Act regulating and prescribing the working hours of police officers employed by any county, city, except cities of the second class and Philadelphia, borough, town or township having a regular police force of twenty or more police officers.

Which was committed to the Committee on Rules.

House Bill No. 2146, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the combination of counties into a single unit of county administration.

Which was committed to the Committee on Rules.

House Bill No. 2161, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing certain signs to be displayed on the top of buildings forming part of the licensed premises of distributors or importing distributors.

Which was committed to the Committee on Rules.

House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commissioning as police

officers certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups," extending its provisions to The Pennsylvania State University.

Which was committed to the Committee on Rules.

House Bill No. 2193, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), extending the provisions relating to trespassing on grounds of State Institutions to The Pennsylvania State University.

Which was committed to the Committee on Rules.

## BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 36, Printer's No. 1244; and

Senate Bill No. 553, Printer's No. 1314.

## REPORTS FROM COMMITTEES

Mr. SHAFER, from the Committee on Judiciary General reported as committed, House Bill No. 186, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), further regulating the operation of bowling and tenpin alleys and providing for referendums in municipalities and townships to authorize or prohibit the operation of bowling lanes on Sundays.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners, or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania; and making the operation of such vessels in the Commonwealth of Pennsylvania, the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served; and providing for further notice to the defendant in any such suit.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 1051, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the sale of starter pistols to minors.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 1228, entitled:

An Act to validate and quite the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 1437, entitled:

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) defining the term "business," providing for the change of location from one county to another, and designating the persons to sign an application to amend the certificate.

He also, from the Committee on Corporations re-reported as committed, Senate Bill No. 233, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," changing the law

as to amendment of articles of incorporation in their entirety, the acquisition and cancellation of treasury shares, the reduction of authorized shares, the reporting of changes in stated capital, the characterization of earned surplus after quasi-reorganizations, the payment of dividends in certain cases, the effect of distributions of shares, financial reports to shareholders, the fixing of the date of shareholders' meetings, the production of lists of shareholders, the extension of voting trusts, the acquisition or transfer of corporate assets, the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchange of shares, the merger or consolidation of parent and wholly-owned subsidiary corporations, service of process on foreign corporations, abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by *Bloch v. Baldwin Locomotive Works*, 75 D. & C. 24, and *Marks v. The Autocar Co.*, 153 F. Supp. 768, eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

He also, from the Committee on Corporations reported as committed, Senate Bill No. 1041, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled, as amended, "Transfer Inheritance Tax Law," excepting from the tax transfers of certain property interests in and income therefrom to cemetery companies, corporations or associations operated exclusively for the benefit of its members and not operated for profit.

He also, from the Committee on Corporations reported as amended, Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adopt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adopted for such motor carrier transportation and conferring the power of eminent domain.

He also, from the Committee on Corporations reported as committed, Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," further providing for the use of certain words in the corporate name.

Mr. KELLER, from the Committee on Banking reported as committed, Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act." permitting the resale, retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

He also, from the Committee on Banking reported as committed, House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further regulating the exercise of powers by the Department of Banking and boards thereof; . . .

Mr. CONFAIR, from the Committee on Law and Order reported as amended, House Bill No. 632, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116), entitled "An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties

and cities and prescribing penalties" requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed delivery tickets and requiring that such delivery tickets be furnished to consumers.

He also, from the Committee on Law and Order reported as amended, Senate Bill No. 883, entitled:

An Act prohibiting the packaging delivery or sale of certain plastic bags unless a warning is attached thereto and imposing a penalty.

He also, from the Committee on Law and Order reported as committed, Senate Bill No. 920, entitled,

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," regulating sales by distributors and importing distributors, and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 1046, entitled:

An Act prescribing penalties for bail jumping.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," clarifying the provisions excepting certain work from the provisions which makes worldly employment unlawful on Sunday.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the keeping of liquor in packages without official seals; and prohibiting certain actions in regard to official seals.

He also, from the Committee on Law and Order, reported as committed, House Bill No. 1071, entitled:

An Act amending "An act to consolidate, amend and revise the Penal Laws of the Commonwealth," approved June 24, 1939 (P. L. 872) regulating the advertisement of merchandise offered for sale by certain businesses.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," changing the limit on retail licenses.

Mr. MURRAY, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 677, entitled:

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; \* \* \*" changing penalties.

He also, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 879, entitled:

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; . . . requiring certain information and reports and prescribing penalties," extending the provisions of the act.

He also, from the Committee on Mines and Mineral



Industries, reported as committed, House Bill No. 1455, entitled:

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198), changing penalties in regards to certain actions relating to registration and furnishing of bonds.

He also, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examination to determine the accuracy of maps, plans and drawings submitted to it.

He also, from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 2265, entitled:

An Act amending the act of June 2, 1891 (P. L. 176) entitled "Anthracite Coal Mining Law," creating and imposing duties on mine safety committees.

He also, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

He also, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2267, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

He also, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

He also, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 2270, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), regulating the marking of the means of ingress and egress in mines.

Mr. RUTH, from the Committee on Agriculture, reported as committed, House Bill No. 679, entitled:

An Act amending the act of March 26, 1925 (P. L. 83), entitled "An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels, \* \* \*; and providing penalties," eliminating licenses and license fee requirements.

He also, from the Committee on Agriculture, reported as committed, House Bill No. 680, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), changing provisions relating to weighing and measuring permits.

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions; conferring additional powers and duties on the Department of Agriculture; and further regulating the sale and importation of bakery products.

Mr. KOPRIVER, JR., from the Committee on Local Government, reported as committed, House Bill No. 56, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law: \* \* \*, and providing for the reinstatement of the liens of such claims and judgments.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing tax levy provisions when land and buildings are taxed separately.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," increasing the annual salaries of certain officers in counties of the second class.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing for the appointment of special school police; defining their powers and duties; and providing for their compensation by the school district.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1463, entitled:

An Act repealing sections 1261, 1262, and 1263 of "The County Code," approved August 9, 1955 (P. L. 323) relating to recognizance of sheriffs and coroners.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1572, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowance and reinstatement and requirement for credit for previous service.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1654, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), increasing the rate and regulating the taxing of house trailers.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1823, entitled:

An Act providing for the creation, maintenance and operation of an employees' retirement system in cities of the second class A, and imposing certain charges on cities of

the second class A and school districts in cities of the second class A.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1945, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), providing an allowance for seventh and eighth class county surveyors.

### BILLS RE-REFERRED

Mr. KOPRIVER, JR., from the Committee on Local Government, returned to the Senate, House Bill No. 954, entitled:

An Act defining and relating to installment land contracts in cities of the first class; and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

Which was re-referred to the Committee on Rules.

He also, from the Committee on Local Government, returned to the Senate, House Bill No. 1018, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), enlarging the power of cities to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to points without such cities, and from points without such cities to points within such cities.

Which was re-referred to the Committee on Rules.

### SENATE CONCURRENT RESOLUTION, SERIAL No. 114, REPORTED FROM COMMITTEE AND ADOPTED

Mr. BERGER, from the Committee on Rules, to which was referred resolution offered by Messrs. KOPRIVER, JR., FLACK, WAGNER, MAHADY and MURRAY on July 27, 1959, reported the same without amendment, as follows:

### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION MAKE A STUDY OF MINING LAWS

In the Senate, July 27, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining be revised and codified; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and non-metallic mining, and to prepare a revision and codification of such laws. In preparing the revision and codification the Joint State Government Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster, and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, representatives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study, together with its draft of a codification of the mining laws, to the next General Assembly.

A motion was made by Mr. BERGER,

That Rule 39 which requires resolutions reported from committee to lie over for one day, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

### COUNCIL OF REPUBLICAN WOMEN FROM COLUMBIA COUNTY PRESENTED TO SENATE

Mr. CONFAIR. Mr. President, I would like to present to the Senate a group of Republican women who have just started a Republican Council of Women in northern Columbia County.

This section includes Benton and the Fishing Creek section. At one time, they say, in that particular area, right after the Civil War, it was hard to find a Republican. They say, in Benton, they tried to find a Republican in order to appoint him to the position of Postmaster and they just could not find one. Now, however, we have this Republican group up there. After many years, the people are turning to Republicanism. This group represents the Council of Republican Women from Benton and northern Columbia County. I wish to present this group to the Senate.

The PRESIDENT. Will the ladies please rise?

As the Democratic Lieutenant-Governor and President of the Senate, I am very happy to greet you.

### BILLS INTRODUCED AND REFERRED

Messrs. WATKINS, RUTH, MAHADY, WALKER and WEINER read in place and presented to the Chair Senate Bill No. 1132, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

Which was committed to the Committee on Rules.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes," changing certain fees fixed by the act.

Which was committed to the Committee on Rules.

He also read in his place and presented to the Chair Senate Bill No. 1134, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the payment of the costs for the construction, rental or lease of sewer or drain systems constructed by an authority.

Which was committed to the Committee on Rules.

Mr. FLACK read in his place and presented to the Chair Senate Bill No. 1135, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law," providing for the payment of expenses of tax collectors of townships of the first class and further providing for the fixing of compensation of elected tax collectors.

Which was committed to the Committee on Rules.



Messrs. KELLER and RUTH read in place and presented to the Chair Senate Bill No. 1136, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," providing that persons participating in any sport or activity for recreation or exercise shall not be taxed.

Which was committed to the Committee on Rules.

Messrs. MURRAY, FLACK and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 1137, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," regulating and requiring the labeling or marking of cigars, cigarettes, pipe tobacco and other tobacco products and the packages in which they are contained.

Which was committed to the Committee on Rules.

### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the historians of ancient Rome tell us that when the gladiators used to come out into the arena to fight before Caesar and the crowds, they would exclaim in Latin, "Ave, Caesar! Murituri te salutant." When translated, it means, "Hail Caesar! Those who are about to die salute thee."

Mr. President, the bill which I am introducing is about to die because it will never emerge from the Committee on Forests and Waters, Game and Fish, of which Senator Blass is Chairman. Nevertheless, I am doing my duty.

The bill is one which deals with camps and the regulation of camps. It is more shameful that even today, there is no list nor any tabulation of childrens camps in Pennsylvania. God forbid, in a minute of disaster or crisis, nobody would even be able to send help because they would not know what camps there are nor where they are located.

I doubt whether the bill will ever see the light of day, but I am doing my duty.

### BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 1138, entitled:

An Act providing for the licensing, regulation, inspection and supervision of day and overnight camps and imposing upon the Department of Health certain powers and duties.

Which was committed to the Committee on Rules.

Messrs. VAN SANT and ROONEY read in place and presented to the Chair Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," extending the time during which certain persons can make application to the Civil Service Commission.

Which was committed to the Committee on Rules.

Messrs. BARR and MAHADY read in place and presented to the Chair Senate Bill No. 1140, entitled:

An Act amending the act of May 18, 1945 (P. L. 809), entitled "An act removing certain roads or sections of road from the State highway system; and providing for their

future maintenance and construction," removing an additional road from the State highway system.

Which was committed to the Committee on Rules.

### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 112

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WALKER, WATKINS, and RIPP, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 112.

Ordered, That the Clerk inform the House of Representatives accordingly.

### PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President and Members of the Senate, on Monday, a meeting was held which in and of itself may not have been very important. Possibly, the matters which they took up before this committee were not of great importance. However, I think the action of the committee is of some importance to the Members of this Chamber and to the people of the Commonwealth of Pennsylvania, at large.

One of the matters brought before this committee was a bill which dealt with discrimination in housing. I believe many people will join me in my belief that we no longer can afford, either as a State or as a Nation, the luxury of indulging in discrimination of any type. Over the years, we have found that this has caused us to lose the energy and the vital productive force which these people could have brought to bear in our society. They are being lost or cast away, just like any asset which this Commonwealth possesses, whether it be mineral or of any other nature being thrown away.

Mr. President, I think even worse than discrimination in housing or any other area, which is bad enough, is the way in which this was handled. It cast an aspersion and cloud on every Member of this body. When this bill came before the committee, for reasons best known to themselves, the gentlemen decided to have a secret ballot. As happens with all things which are secret, the result is up in the air. The final result is known and then we arrive at an area which hangs like a miasma over the entire group. Therefore, nobody knows exactly what took place.

One newspaper said, "GOP Kills Housing Bill." Another newspaper said, "State Senators Kill Housing Bill." A third newspaper said, "Democrats Kill Housing Bill."

What were the real results? What actually took place? Who was for it and who was against it? Those things we will never know, nor will we have any way of determining them. I feel that those of us who are elected to public office have the duty, as painful as it might be at times, to stand up and be counted. If you are in favor of some measure, I think you should say so. If you are against some measure, I think you should also state that. Regardless of what your position is, I think if you give intelligent reasons and cogent reasons which refer to the matter at hand, no one would have the right to quarrel with you because you have done the best that you know how on any particular measure.

On this Fair Housing Bill, which is a rather important measure and which was sent by the House over to the Senate, I think it should have had the benefit of all of the Members of the Senate voting on it. I admit that some of us might have found ourselves in the position where it would have been difficult to go either way. However, eventually, whether it be this week, next week or next Session, this matter will again be before us and we will have to take a position. The forces that are in favor of this bill will be in favor of it then. The forces which are against this bill will probably be just as much against it and working just as hard against it.

When we hide behind a mask of secrecy, I feel that we are not only serving those forces which would have most of our meetings be secret and have most of our affairs done under a cloak, but I think we are doing ourselves and the people of Pennsylvania a complete disservice. I think the people have a right to know. I think they have an obligation to call upon us and we, in turn, have a duty to advise them how we feel about a particular matter.

There is not a bill on this Calendar, at any time, which does not put somebody in an embarrassing position, where he must pick and choose, or decide what he feels does the most good for the greatest number of the people whom he services. It is only because we are responsible to those people that we have a right to be here and to respond to their problems in their particular areas. If we do not do that, I think we are doing less than what we have been elected to do.

Therefore, Mr. President, I ask that this resolution be sent to the proper committee for consideration, and I think a report should be made back to this Senate. I think the time has come when we should take this action, for all our public bodies and all of our authorities to meet in public and notice be given. We even have a bill today on our Calendar which deals with the very problem of allowing newspapermen to be present, take notes and report back to the people. I think the same should pertain in our committee actions. I do not think there is anything that goes on in those committees which should not be for the public welfare. Being for the public welfare, I think the public has a right to know how their people feel about their problems. Having heard, they can advise us. I think once they know how we feel about them, if it does not happen to be the majority view, they can write to us or come to see us and let us know. I think all of us should be available for just that type of edification and for that type of information.

Therefore, Mr. President, I ask that this resolution be read and sent to the proper committee.

### SENATE RESOLUTION

#### REQUIRING THAT THE VOTE OF THE MEMBERS OF EACH STANDING COMMITTEE ON THE QUESTION OF REPORTING BILLS TO THE SENATE BE MADE A MATTER OF PUBLIC RECORD

Messrs, WEINER and BARR offered the following resolution (Serial No. 59), which was read and referred to the Committee on Rules:

In the Senate, September 1, 1959.

WHEREAS, the Senate is a body elected and directly responsible to the people of Pennsylvania, and

WHEREAS, all bills considered by this body are of concern to all the people of the Commonwealth, and

WHEREAS, the work of the standing committees of the Senate is important in the accomplishment of the public business of the Senate, and

WHEREAS, the people of the Commonwealth are entitled to know how their elected representatives vote on all matters of legislation, therefore be it

RESOLVED, that the vote of the members of each standing committee on the question of reporting bills to the Senate be made a matter of public record.

### BUSINESSMEN FROM ALLEGHENY COUNTY PRESENTED TO SENATE

Mr. FLEMING. Mr. President, I have a very pleasant task to perform at this time. On behalf of all of the six Senators from Allegheny County, I would like to draw to the attention of the Chair that we have as visitors today in the Senate of Pennsylvania, a group of businessmen from Pittsburgh and Allegheny County who, for the past several months, have been taking intensive courses and studies in government so that they, too, may become interested in it. They are here in the gallery today, and I hope that you, Mr. President, will welcome them to this Body.

The PRESIDENT. Thank you, Senator Fleming. Will the gentlemen from Allegheny County please rise?

On behalf of the Senate, I can welcome you and tell you that we are very happy to have you with us today.

### REPORTS FROM COMMITTEE

Mr. ELLIOT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ELLIOT, from the Committee on Insurance, reported as amended, Senate Bill No. 301, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," providing insurance for self-insurers for liabilities under the Pennsylvania Workmen's Compensation Laws and the Pennsylvania Occupational Disease Laws in certain cases.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1201), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

### RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Republican Caucus and a Democratic Caucus, to be held in the respective Caucus Rooms.

I would also remind the Members of the Senate to take with them to the meetings, copies of all the bills on today's Calendar.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.



## PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. So often today, Mr. President, one hears a great deal about the freedom of the press, the freedom of speech, the freedom of religion and personal liberty. But seldom is heard of the right to possess property, which is guaranteed by both our National and State Constitutions.

The right of an individual, Mr. President, to acquire, possess and protect land and property, in most cases acquired through long years of thrift and toil, is a right we shall hear more of in the future, for our great towns and our cities are in a period of change, a change from the decaying and outmoded styles of the past to the goals of advanced modern planning and architecture. We, I am sure, are all in favor of such a change, a necessary change if our cities are to survive the shiftings of our populations and the trends of modern civilization.

As the old is torn down to make way for the new, Mr. President, and as our planning commissions and our powerful redevelopment authorities plan our cities of the future, the property rights of our citizens and our taxpayers have to be preserved. No future city or town of this great Commonwealth is worth the violation of the property rights of any one of our citizens, regardless of his economic status, for such a town or a city would be built on an unsound foundation.

The following bills which I am about to introduce, Mr. President, are drawn in an attempt to protect the property owner and the just rights of our citizens where redevelopment projects may take place in the future.

One bill is brought about by the unfortunate situation existing in the Eastwick section of west Philadelphia, where men and women engaging in small business enterprises have been compelled to relocate without adequate compensation for long years of building up a business and good will. We all know how hard it is today for a person to establish a going business and to keep it going.

Other bills, Mr. President, have been brought about by a situation existing in the west Philadelphia area, comprising the blocks of Walnut to Chestnut Streets, Thirty-second to Thirty-fourth Streets, in that area. Well over a year ago, scores of residents were ousted from their homes under Redevelopment Authority proceedings. Other residents who had not made settlement for their properties were forced to live amid rubble while homes were being torn down around them; to live, Mr. President, without electricity, without benefit of sanitary disposal conditions and, in general, to live under unbelievable living conditions. But the real injustice of this matter is, Mr. President, that up until this date, the majority of the projects planned for this area have not begun and the land has been turned into a parking mecca by two private corporations; one, a private, State-aided corporation, and the other, a private corporation soon to receive State-aid.

In my estimation, Mr. President, this situation is an outright violation of the property rights of the former taxpayers who occupied this land. These uprooted citizens must wonder in amazement as they see the thousands of dollars that have been made, that are presently being made and will be made in the future on this now untaxed land by private, not public, corporations; on land, Mr. President, where their families were born and raised,

where they once lived in harmony and in the pursuit of happiness, guaranteed under our sacred constitutions.

Mr. President, on behalf of myself and several of my colleagues, I am presenting to the Chair these bills.

## BILLS INTRODUCED AND REFERRED

Mr. McCREESH. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. McCREESH, MULLIN, MURRAY and LANE read in place and presented to the Chair Senate Bill No. 1141, entitled:

An Act amending the act of May 24, 1945 (P. L. 991), entitled "Urban Redevelopment Law," conditioning the right of possession to any land within the territorial limits of a project upon the payment of the value of all lands or interests therein within such area; and conferring powers and duties on courts of quarter sessions.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1142, entitled:

An Act amending the act of May 24, 1945 (P. L. 991), entitled "Urban Redevelopment Law," providing for certain damages for the taking of land in certain cases.

Which was committed to the Committee on Rules.

Messrs. McCREESH, MULLIN, MURRAY, LANE and STIEFEL read in place and presented to the Chair Senate Bill No. 1143, entitled:

An Act amending the act of May 24, 1945 (P. L. 991), entitled "Urban Redevelopment Law," prohibiting the use of land acquired for redevelopment for other purposes except in certain cases, and providing for the payment of profits for the use of land to political subdivisions.

Which was committed to the Committee on Rules.

Messrs. McCREESH and LANE read in place and presented to the Chair Senate Bill No. 1144, entitled:

An Act prohibiting the Auditor General from approving the payment of money to certain institutions.

Which was committed to the Committee on Rules.

## RECESS

Mr. BERGER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

## REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 298, entitled:

An Act making an appropriations to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Finance, re-reported as amended, House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine," continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business.

He also, from the Committee on Finance re-reported, as amended, House Bill No. 661, entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," increasing the rate of tax on shares of capital stock of banks and savings institutions for a limited time.

He also, from the Committee on Finance re-reported, as amended, House Bill No. 662, entitled:

An Act amending the act of June 13, 1907 (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective title liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies," increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company for a limited time.

He also, from the Committee on Finance reported as committed, House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

Mr. KALMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KALMAN, from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines," requiring the Department of Mines and Mineral Industries

to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases and empowering the court to make finding and decree the death of such person.

## SENATE CONCURRENT RESOLUTION TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was read, considered and agreed to:

In the Senate, September 1, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Wednesday, September 9, 1959, at TWO o'clock P. M., E.S.T. and when the House of Representatives adjourns this week, it reconvene on Wednesday, September 9, 1959, at THREE-THIRTY o'clock P. M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

## CALENDAR

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order.

Senate Bill No. 477, Printer's No. 1295;

Senate Bill No. 478, Printer's No. 1228; and

Senate Bill No. 479, Printer's No. 1229.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 971, as follows:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 971

Mr. WADE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 971, passed third reading on August 31, 1959.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

Mr. TAYLOR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. TAYLOR. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Bill, page 4, by inserting between lines 3 and



4: "Section 3. Clause (b) of subsection (2.1) of section 402 of the act, added August 4, 1959 (Act No. 203), is amended to read: "Section 402. Withdrawal Benefits.— \* \* \* (2.1) A contributor who is a member of the single coverage group who has credit for multiple service whose service is discontinued voluntarily or involuntarily before reaching the superannuation retirement age for any of such classes and who applies for a withdrawal allowance, shall receive a voluntary or involuntary withdrawal allowance in accordance with the following provisions; \* \* \* (b) for each year of credited service a contributor shall be entitled according to class of membership to voluntary or involuntary withdrawal credits determined by reference to the following table:

Class of Membership (1)	Number of Withdrawal Credits for Each Year of Service	
	Voluntary Withdrawal Credits (2)	Involuntary Withdrawal Credits (3)
State Employees' Retirement System		
A	4	10
B	4	10
C	4	10
D	10	10
E	5	10
Public School Employees' Retirement System		
T-A	4	10
T-B	0	0

"In determining eligibility for a voluntary withdrawal allowance only accumulated voluntary withdrawal credits determined with reference to columns (1) and (2) shall be added and in determining eligibility for an involuntary withdrawal allowance only accumulated involuntary withdrawal credits determined with reference to columns (1) and (3) shall be added. In the case of a member of Class E, any service as a member of the General Assembly completed prior to January 1, 1947, shall be credited, for the purpose of accumulating voluntary withdrawal credits, as service as a member of Class D." \* \* \* Amend Sec. 3, page 4, line 4, by striking out "3" and inserting: "4".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printer's No. 1140, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on Final Passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### THIRD READING CALENDAR BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 75, entitled:

An Act amending the act of December 22, 1951 (P. L. 1726) entitled "Pennsylvania Loyalty Act" providing for the filing of loyalty oaths by persons nominated or elected as write-in-candidates.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Barr,	Hays,	McMenamin,	Silvert,
Berger,	Kalman,	Miller,	Stevenson,
Blass,	Keller,	Mullin,	Stiefel,
Camluel,	Kessler,	Murray,	Taylor,
Chapman,	Koprivier, Jr.	Pechan,	Van Sant,
Confair,	Kromer,	Probert,	Wade,
DiSilvestro,	Lane,	Ripp,	Wagner,
Donolow,	Madigan,	Rooney,	Walker,
Ehrgood,	Mahady,	Ruth,	Watkins,
Elliott,	Mallery,	Sarraf,	Weiner,
Flack,	McCreesh,	Scott,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,			

#### NAYS—1

Seyler,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 142, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MCGINNIS. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. PROBERT. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—28

Berger,	Fleming,	Mallery,	Van Sant,
Blass,	Harney,	Pechan,	Wade,
Chapman,	Keller,	Probert,	Wagner,
Confair,	Kessler,	Scott,	Walker,
Ehrgood,	Koprivier, Jr.,	Shafer,	Watkins,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Taylor,	Wolfe,

## NAYS—13

Hays, Lane, Mahady, McCreesh,	McGinnis, McMenamin, Miller,	Mullin, Murray, Ripp,	Ruth, Seyler, Weiner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 223, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during time of combat.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Ruth, Sarraf, Scott, Seyler, Shafer, Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 256, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" further designating magistrates aldermen or justices of the peace before whom informations charging summary offenses may be brought.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Barr, Berger, Blass, Camel, Chapman,	Harney, Hays, Kalman, Keller, Kessler,	Mullin, Murray, Pechan, Propert, Ripp,	Stevenson, Stiefel, Taylor, Van Sant, Wade,
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Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,

Koprivier, Jr.,  
Kromer,  
Madigan,  
Mallery,  
McCreesh,  
McGinnis,  
Miller,

Rooney,  
Ruth,  
Sarraf,  
Scott,  
Shafer,  
Silvert,

Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—4

Lane,

Mahady,

McMenamin,

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 290, Printer's No. 314; and

House Bill No. 398, Printer's No. 1072.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 1), page 2, line 10 by inserting after "marines": "and the General Assembly may, by general laws, set up standards and qualifications for private forest reserves, and making special provisions for the taxation thereof."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 409, Printer's No. 1172, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous con-



sent that House Bill No. 470, Printer's No. 236, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 471, Printers' No. 237, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 598, on third reading, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" excluding certain contracts or purchases for operation of public works from requirement of advertising and bidding.

be recommitted to the Committee on Local Government.

Mr. PECHAN. Mr. President, I second the motion?

The motion was agreed to.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order.

Senate Bill No. 735, Printer's No. 816;

Senate Bill No. 736, Printer's No. 817;

Senate Bill No. 739, Printer's No. 820;

House Bill No. 959, Printer's No. 1545;

House Bill No. 1015, Printer's No. 1544;

Senate Bill No. 1037, Printer's No. 1224;

Senate Bill No. 1047, Printer's No. 1238.

The PRESIDENT. Is there objection? The Chair hears

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1049, entitled:

An Act amending the act of May 23 1945 (P. L. 913) entitled "Professional Engineers Registration Law" further defining the practice of engineering and authorizing registration of certain qualified persons without examination.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1055, entitled:

An Act amending the act of May 19 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1062, entitled:

An Act amending the act of April 29 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1064, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1078, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1084, entitled:

An Act reenacting and amending the act of June 21, 1957 (P. L. 392) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. PRESIDENT, I would like to make an observation on the bill that we just passed. The resolution which I introduced today, which was sent to the Rules Committee, would authorize or ask that the committee meetings be matters of public knowledge and of public concern in regard to problems that affect the Members and the people living in this Commonwealth.

This bill, Senate Bill No. 1084, is one step further in the legislation we passed during the last Session, which gave the people what were known as "the right to know laws. I think this should also be available to the public when they are concerned with legislation. All of the people living in the Commonwealth have a right to know what goes on.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1089, Printer's No. 1289, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.



## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1177, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law and changing the time within which such notification must be given.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, first line of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)"; Amend Sec. 1, page 2, line 1, by striking out "(Act No. 32)" and inserting: "(P. L. 58)"; Amend Sec. 1 (Sec. 613), page 2, lines 17 and 18, by striking out "THIRTY (30)" and inserting: "fifteen (15)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 1177, Printer's No. 1112, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1430, entitled:

An Act repealing section 1035 act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,

Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Scott,  
Seyler,  
Shafer,

Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1566, Printers' No. 987, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1714, entitled:

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## SENATE BILL No. 477 CALLED UP

Mr. BERGER. Mr. President, I call up, from Page 1 of today's Calendar Senate Bill No. 477, Printer's No. 1295, which previously went over in its order,

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 477, entitled:

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" increasing and fixing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur to the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 477

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 477.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—43

Barr,	Harney,	McMenamin,	Shafer,
Berger,	Hays,	Miller,	Silvert,
Blass,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Propert,	Van Sant,
Confair,	Koprivier, Jr.	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Mahady,	Ruth,	Weiner,
Elliott,	Mallery,	Sarraf,	Whalley,
Flack,	McCreesh,	Scott,	Wolfe,
Fleming,	McGinnis,	Seyler,	

#### NAYS—7

Ehrgood,	Madigan,	Taylor,	Walker,
Kromer,	Pechan,	Wade,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE BILL No. 478 CALLED UP

Mr. BERGER. Mr. President, I call up, from Page 1 of today's Calendar, Senate Bill No. 478, Printer's No. 1228, which went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 478, entitled:

An Act amending the act of June 25, 1947 (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" increasing the salaries of certain employees and county officers.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur to the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 478

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 478.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—43

Barr,	Harney,	McMenamin,	Shafer,
Berger,	Hays,	Miller,	Silvert,
Blass,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Propert,	Van Sant,
Confair,	Koprivier, Jr.	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Mahady,	Ruth,	Weiner,
Elliott,	Mallery,	Sarraf,	Whalley,
Flack,	McCreesh,	Scott,	Wolfe,
Fleming,	McGinnis,	Seyler,	

#### NAYS—7

Ehrgood,	Madigan,	Taylor,	Walker,
Kromer,	Pechan,	Wade,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE BILL No. 479 CALLED UP

Mr. BERGER. Mr. President, I call up, from Page 1 of today's Calendar, Senate Bill No. 479, Printer's No. 1229, which went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 479, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain officers in counties of the eighth class.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur to the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 479

Mr. BERGER. Mr. President, I move that the Senate



do concur in the amendments made by the House to Senate Bill No. 479.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—43

Barr,	Harney,	McMenamin,	Shafer,
Berger,	Hays,	Miller,	Silvert,
Blass,	Kalman,	Mullin,	Stevenson,
Camel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Probert,	Van Sant,
Confair,	Koprivier, Jr.	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Mahady,	Ruth,	Weiner,
Elliot,	Mallery,	Sarra,	Whalley,
Flack,	McCreesh,	Scott,	Wolfe,
Fleming,	McGinnis,	Seyler,	

#### NAYS—7

Ehrgood,	Madigan,	Taylor,	Walker,
Kromer,	Pechan,	Wade,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 10, Printer's No. 10, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL RECOMMENDED

Mr. BERGER. Mr. President, I move that House Bill No. 204, on second reading, entitled:

An Act amending the act of July 15, 1919 (P. L. 976), No. 386), entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor," authorizing the acquisition by eminent domain of avigation easements aerial rights-of-way and other interests in land.

be recommitted to the Committee on Military Affairs and Aeronautics.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1323;  
Senate Bill No. 447, Printer's No. 481;  
Senate Bill No. 448, Printer's No. 1324;  
Senate Bill No. 449, Printer's No. 1325; and  
House Bill No. 467, Printer's No. 823.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 578, entitled:

An Act amending the act of May 3, 1933 (P. L. 242), entitled "Beauty Culture Law," changing eligibility requirements for examination.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendments:

Amend Sec. 1 (Sec. 4), page 3, line 7, by inserting after "(2)": "if under thirty-five years of age"; Amend Sec. 1 (Sec. 4), page 3, line 8, by inserting after "thereof": "or in lieu of such education or the equivalent thereof, shall have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry."

On the question,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, I might say that in my opinion these are rather unusual or silly amendments, and I wish to be recorded as voting "no" on the amendments.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 578, Printer's No. 189, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 737, Printer's No. 818; and

Senate Bill No. 738, Printer's No. 819.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome" and "Office Trailer" and including certain persons buying selling exchanging assembling financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for house trailers and office trailers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 754, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting house trailers from gross weight requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 888, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing expenditures for aviation training.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill 889, entitled:

An Act amending the act of May 25, 1933 (P. L. 1001) entitled as amended "The Aeronautical Code" amending and adding definitions revising text to conform and authorizing expenditures for aviation training.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 975, entitled:

An Act relating to property held for minors by political subdivisions; prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1001, Printer's No. 1190, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

Senate Bill No. 1031, Printer's No. 1215;

Senate Bill No. 1036, Printer's No. 1340;

Senate Bill No. 1079, Printer's No. 1279.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Regional Business Development Credit Corporations to assist promote and encourage through their institutional and corporate stockholders the development of property and advancement of business and economic welfare of various regions of the Commonwealth prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendment:

Amend Sec. 2, page 4, line 12, by striking out "the State Insurance Department" and inserting: "law."

It was agreed to.

The section was agreed to as amended.

The third section was read.



On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 3, page 6, line 4, by inserting after "of":  
"capital and."

It was agreed to.  
The section was agreed to as amended.  
The fourth section was read.

On the question,  
Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendments:

Amend Sec. 4, page 6, line 7, by inserting after "powers": "rights, privileges and immunities"; Amend Sec. 4, page 7, line 15, by inserting after "Development": "credit."

They were agreed to.  
The section was agreed to as amended.  
The fifth section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 5, page 9, line 16, by inserting after "creating": "and selling publicly."

It was agreed to.  
The section was agreed to as amended.  
The sixth section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendments:

Amend Sec. 6, page 11, line 19, by striking out "three hundred fifty thousand dollars (\$350,000)" and inserting: "five hundred fifty thousand dollars (\$550,000)"; Amend Sec. 6, page 11, line 8, by striking out "guaranty" and inserting: "its full paid shares and reserve"; Amend Sec. 6, page 12, line 2, by striking out "the" where it appears the first time and inserting: "a"; Amend Sec. 6, page 12, line 2, by striking out "the" where it appears the second time and inserting: "a"; Amend Sec. 6, page 12, line 3, by striking out "maximum loan limit" and inserting: "lending agreement commitment"; Amend Sec. 6, page 12, line 4, by striking out "loan limits" and inserting: "lending agreement commitments"; Amend Sec. 6, page 12, line 4, by striking out "the" where it appears the second time and inserting: "a."

They were agreed to.  
The section was agreed to as amended.  
The seventh section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 7, page 13, line 2, by inserting after "the": "temporary."

It was agreed to.  
The section was agreed to as amended.  
The eighth section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 8, page 15, line 4, by inserting after "development": "credit."

It was agreed to.  
The section was agreed to as amended.  
The ninth section was read.

On the question,  
Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendments:

Amend Sec. 9, page 17, line 9, by inserting after "corporation": "which shall include the words 'Development credit Corporation'"; Amend Sec. 9, page 17, line 16, by inserting after "Banking": "the articles of incorporation required by this act"; Amend Sec. 9, page 17, line 17, by striking out "along with" and inserting: "and."

They were agreed to.  
The section was agreed to as amended.  
The tenth section was read and agreed to.  
The eleventh section was read.

On the question,  
Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendment:

Amend Sec. 11, page 20, line 3, by striking out "as provided in the corporation's by-laws" and inserting: "such other securities as may be legal investments under the act of May 26, 1949 (P. L. 1828), as amended, known as the 'Fiduciaries Investment Act of 1949.'"

They were agreed to.  
The section was agreed to as amended.  
The twelfth section was read.

On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 12, page 21, line 4, by striking out "January" and inserting: "March."

It was agreed to.  
The section was agreed to as amended.  
The thirteenth section was read.

On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendments:

Amend Sec. 13, page 21, line 15, by striking out "the" where it appears the first time and inserting: "a"; Amend Sec. 13, page 21, line 15, by striking out "the" where it appears the second time and inserting: "a"; Amend Sec. 13, page 23, line 1, by inserting after "parties": "respectively"; Amend Sec. 13, page 23, line 3, by striking out "deemend" and inserting: "deemed."

They were agreed to.  
The section was agreed to as amended.  
The fourteenth section was read.

On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendments:

Amend Sec. 14, page 23, line 6, by striking out "or" and inserting: "of"; Amend Sec. 14, page 23, line 7, by striking out "incorporate" and inserting: "incorporation."

They were agreed to.  
The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendments:

Amend Bill, page 24, by inserting between lines 16 and 17: "Section 15. Advisory Council. For the purpose of formulating and recommending uniform policies and practices relating to the operations of the regional development credit corporations of the Commonwealth and of sharing and coordinating information concerning the economic condition and investment opportunities in the various regions, there shall be established an Advisory Council of the Regional Development Credit Corporations, to be formed after the organization and authorized operation of two or more corporations. Such council shall consist of one representative from each corporation, the Secretary of Commerce, who shall serve as permanent chairman, and the Secretary of Banking. Such council shall hold its meetings at least annually or more often as the chairman or the resolution of the council shall direct"; Amend Sec. 15, page 24, line 17, by striking out "15" and inserting: "16."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. McMENAMIN offered the following amendments:

Amend Table of Contents, page 2, by inserting between Section 14 and Section 15: "Section 15. Advisory Council"; Amend Table of Contents, page 2, Section 15, by striking out "15" and inserting: "16."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Senate Bill No. 1093, Printer's No. 1298, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development corporations.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendments:

Amend Sec. 1 (Sec. 404), page 2, line 10, by inserting

after "Development": "Credit"; Amend Sec. 1 (Sec. 404), page 2, line 11, by inserting after "development": "credit."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendments:

Amend Sec. 2 (Sec. 517), page 3, line 5, by inserting after "development": "credit"; Amend Sec. 2 (Sec. 602), page 3, line 14, by inserting after "development": "credit."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. McMENAMIN offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after "development": "credit."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Senate Bill No. 1094, Printers No. 1299, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development corporations.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendment:

Amend Sec. 1 (Sec. 1009), page 3, line 2, by inserting after "development": "credit."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendment:

Amend Sec. 2 (Sec. 1208), page 3, line 16, by inserting after "development": "credit."

It was agreed to.

The section was agreed to as amended.

The third section was read.



On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 3 (Sec. 1209), page 4, line 7, by inserting after "development": "credit."

It was agreed to.  
The section was agreed to as amended.  
The title was read.

Amend Title, page 2, next to last line of Title, by inserting after "development": "credit."

It was agreed to.  
The title was agreed to as amended.  
And said bill having been read at length the second time, as amended,  
On the question,  
Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Senate Bill No. 1095, Printer's No. 1300, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,  
The Senate proceeded to the second reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business redevelopment corporations.

The first section was read.  
On the question,  
Will the Senate agree to the section?  
Mr. McMENAMIN offered the following amendment:

Amend Sec. 1 (Sec. 803), page 2, line 8, by striking out "redevelopment" and inserting: "development credit."

It was agreed to.  
The section was agreed to as amended.  
The title was read.

On the question,  
Will the Senate agree to the title?  
Mr. McMENAMIN offered the following amendment:

Amend Title, page 2, last line of Title, by striking out "redevelopment" and inserting: "development credit."

It was agreed.  
The title was agreed to as amended.  
And said bill having been read at length the second time, as amended,  
On the question,  
Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Senate Bill No. 1096, Printer's No. 1301, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1143, Printer's No. 492;  
House Bill No. 1144, Printer's No. 463; and  
House Bill No. 1145, Printer's No. 464.

The PRESIDENT. Is there objection? The chair hears none.

### RULING BY THE CHAIR

Mr. FLEMING. Mr. President, I now desire to raise a constitutional question relating to Article III, Section 33, of the Pennsylvania Constitution. I am a Member of the Port Authority of Allegheny County. I would like the Chair to rule whether or not I am permitted to vote on this measure.

The PRESIDENT. Senator Fleming, you have raised this question with me, privately, prior to this time, so that I have had time to study the Constitution, Article III, Section 33. I would rule that you have a right to vote and that this is not a personal and private interest as far as voting on the bill is concerned. Therefore, you will be entitled to vote.

### BILL ON SECOND READING

#### AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1297, entitled:

An Act amending the act of April 6 1956 (P. L. 1414) entitled "An act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof . . ." granting Port Authorities the exclusive right to engage in the business of owning operating and maintaining a transportation system for the transportation of persons in counties of the second class providing when necessary for extension of transportation systems into adjoining counties and outside of said counties as provided in the act limiting the jurisdiction of the Public Utility Commission over Port Authorities authorizing municipalities to make loans and grants and to transfer existing facilities authorizing Port Authorities to enter into contracts with and to accept grants from State and local governments or agencies thereof exempting the property and facilities of such Port Authorities from taxation and limiting the time to commence civil action against said Authorities.

Mr. KOPRIVER, JR. Mr. President, I desire to offer an amendment to Section 14 of this bill.

The PRESIDENT. The Clerk will read the amendment to Section 14.

The amendment was read by the Clerk as follows:

Amend Sec. 14, page 40, line 5, by striking out "This act shall take effect immediately" and inserting in lieu thereof: Notwithstanding any provisions of this amendatory act to the contrary, the powers herein granted shall not be exercised by the officers of any authority or the Board of County Commissioners of any county of the second class unless a majority of the electorate of any county of the second class, as a result of a referendum

conducted at the general election of 1959 in accordance with the provisions of the election laws of the Commonwealth, vote "yes" on the question: "Shall the . . . . . Port Authority, created under the 'Second Class County Port Authority Act' engage in the business of mass transportation of passengers."

On the question,

Will the Senate agree to the amendment?

Mr. KOPRIVER, JR. Mr. President, this bill is a measure of such magnitude and far-reaching consequences that it should be submitted to a vote of the electorate for approval or rejection, for the following reasons:

First, because to initiate this scheme would require the outlay of a vast amount of general obligation bonds by the county of Allegheny.

Secondly, because the County Commissioners of Allegheny County will be forced to appropriate tens of millions of dollars of public tax money to subsidize low fares to and from the suburbs of Pittsburgh. This is the history of all mass transit arrangements when all costs are properly assessed against revenues.

Thirdly, this tax money comes from the pockets of all the people in Allegheny County, and not just from the people of Pittsburgh and its environs. Hard pressed home owners all over Allegheny County will be taxed to support a project in which they have no interest. Outlying local merchants will be taxed so that their customers may be lured into the Pittsburgh stores.

For these reasons alone, Mr. President, the people of Allegheny County should be permitted to decide whether or not they want to be taxed to support this unknown plan of operation. There are other compelling reasons why a referendum should be provided for in this bill.

This bill gives the Port Authority the right to condemn, by eminent domain, those free enterprise bus lines which operate independently of Pittsburgh. It includes those lines which are giving adequate and satisfactory service to their customers. This bill allows the Port Authority to approach these free enterprise owners with a "right of eminent domain shotgun" in one hand, and an "offer to buy tag" in the other hand. They do not have a fighting chance. Can this happen here in our American way of life? Yes, under this bill.

Mr. President, this bill follows closely the pattern of the Tennessee Valley Authority which, in 1933, took over the power companies in the Tennessee Valley and generated cheap power at the taxpayers' expense. Do we want a miniature T.V.A. in Allegheny County? The taxpayers should make this decision. The advocates of this Socialistic scheme say that they are willing to abide by the decision of the County Commissioners as to whether or not this matter should be submitted to the people. If the people of Allegheny County want Socialism, they should make that decision and not have it imposed upon them by the County Commissioners. This is not just an ordinary administrative decision. It is a gigantic decision which the people should make. They should decide if they wish to pay the freight. They should decide whether or not this scheme is their concept of the free enterprise system, under which Allegheny County has prospered for so many years.

The venerable pioneering industrialists and bankers of yesteryear, to whom Pittsburgh owes a tremendous debt of gratitude, rose to great influence in these United States and made hundreds of millions of dollars under the com-

petitive free enterprise system. They believed in the practice and doctrine of free enterprise for private industry and business. They would turn over in their graves if they knew what their counterparts in this day are advocating in this bill. Karl Marx would laugh with great glee.

Therefore, Mr. President, I ask the Members of this Senate, in all fairness to the people of Allegheny County, to vote in favor of this amendment.

Mr. BARR. Mr. President, I heard Senator Koprivier's speech and found it to be very similar to the speeches which were made on the floor of the House and on the floor of the Senate here in 1947, when the Allegheny Conference, through its elected Representatives and Senators from Allegheny County, presented a package of thirteen bills to be acted upon by the General Assembly. Among them were bills creating several Authorities. These same Authorities have been copied in many of the counties throughout the Commonwealth.

To bring one to your attention, I will first mention our Allegheny County Parking Authority, which has proved to be a paying thing. We were the first to establish a Parking Authority, such as it is. Through these various bills which were passed during the Duff Administration, the renaissance which is taking place in Pittsburgh has only been possible due to the co-sponsorship of legislation such as this between the Republican and Democratic Members from Allegheny County.

Here again, we are now considering another bill which has been submitted to us by the Allegheny Conference on Community Development and, in my opinion, it is considered the finest association of its type in the Country, wherein every segment of our social and business life is constituted. In this Allegheny Conference, we have the top men of all of our largest industries; namely, steel, aluminum and the comprising elements of other large businesses in the city, plus the men of management of business, and the men from labor. They have unanimously endorsed this bill.

Mr. President, Senator Koprivier is concerned about this referendum. I do not know whether the Senator has read the bill. However, if he will turn to page 28 of House Bill No. 1297, Printer's No. 1507, he will find that it reads as follows:

"Section 13.1 The authority immediately upon its organization shall commence its study of an integrated system of mass transportation within the service area such study shall include but not be limited to the estimated cost of acquisition of existing transportation systems the development of facilities"—et cetera, et cetera. It goes on and states how this should be done.

Then, the system, once they have offered it to the county—I am just trying to hurry and not take too much of the time of the Senate. However, I shall quote from the bill as follows:

" . . . existing transportation systems estimates of revenue and expenditures for the proposed plan of integrated operation and the proposed method of financing the acquisition and the plan of integrated operation the board of county commissioners shall advertise the fact that the plan of integrated operation has been submitted and is available for public inspection at least once each week for two consecutive weeks in a newspaper of general circulation in the county provided that no action may be taken by the board of county commissioners until the plan of integrated operation has been on file in the of-



fice of the county commissioners and available for public inspection for a period of at least thirty days following the date of publication of the second notice the board of county commissioners may approve or reject the plan of integrated operation as submitted or at any time thereafter direct the authority to revise the original plan of integrated operation in the event of a revision the original plan of integrated operation such revised plan of integrated operation shall be resubmitted to the board of county commissioners and shall be acted upon in the same manner as herein provided in the case of the submission by the authority of the original plan of integrated operation prior to approving or rejecting the plan of integrated operation or revised plan of integrated operation the board of county commissioners may submit the question of approval of such plan or revised plan of integrated operation for referendum at any general municipal or primary election in the event of a referendum the question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth. . ."

Mr. President, the bill is simply saying that we must give the County Commissioners a tool with which to work. This bill is the implement with which they can start to prepare their operation and master plan. In order for that to be done, as you all probably know, it costs money. Therefore, the County Commissioners will have to make an appropriation. Knowing County Commissioners and elected officials as I do, they are not going to make a contribution to do something if they do not know whether it will go through. If they are not satisfied with the plan, or if the public is not satisfied with the plan, or if there is too much criticism, it will then be submitted to a referendum.

Mr. President, I think that answers the gentleman from Duquesne.

Mr. KOPRIVER, JR. Mr. President, I would like to answer Senator Barr in this way. I was not a Member of the Senate in 1951, when a similar bill, regarding the entire Commonwealth, was enacted. It was a "may" bill. It was called the County Health Unit Law.

We were not given a chance to vote by the County Commissioners. They just used their right by resolution. Because we make one mistake in the county or in the General Assembly does not make it necessary to make two mistakes. Allegheny County is a large county, the second largest county in the Commonwealth. A lot of people in Allegheny County are involved. A lot of people work out of the city of Pittsburgh. If Pittsburgh has a problem, it should take care of its own problem.

This amendment gives the people of Allegheny County a chance to vote on this matter in order to let the County Commissioners know whether they should spend money or not. It is not the commissioners' money; it is the taxpayers' money. That is why I am opposed to the present law.

I have read the bill, Senator Barr, for your information, and I am sure you have, too.

Mr. BARR. Mr. President, the gentleman was talking about the County Health Unit. There was a bill passed by the Legislature, during the first Session of the Fine Administration, which allowed any county which cared to do so to develop their own county health unit. This is not at all similar to this bill. I cannot see the parallel. Nevertheless, I will say this. There are twenty-seven

Members in the House, from Allegheny County, both Republican and Democratic on the other side, and there are six Senators over here. The twenty-seven Members in the House are all in favor of the County Health Plan. Five of the six Senators present are in favor of it. You are the only one who is not in favor of it. That is a pretty good average. I would say thirty-one out of thirty-two are in favor of it.

Mr. KOPRIVER, JR. Mr. President, those Members cannot be questioned at this time because this is 1959. We have had a chance to work on the County Health Unit Law in Allegheny County. In fact, one of the townships is suing the Allegheny County Health Department to leave the County Health Unit. That is a fact, and I think you know that, Senator Barr.

Mr. BARR. No. I do not know that.

Mr. KOPRIVER, JR. I thought you did.

Mr. BARR. Which township is it?

The PRESIDENT. May I remind both of you gentlemen that we are talking about an amendment to a bill and not the bill itself?

Mr. KOPRIVER, JR. I am sorry, Mr. President.

Mr. BARR. Mr. President, I have no more to say. I answered the gentleman on his amendment.

Mr. LANE. Mr. President, I am not from Allegheny County. I represent Washington County, which is contiguous to Allegheny County. I have reviewed this bill in detail, and I have supported this legislation since its inception. I have a concern for the problems of the metropolitan areas of Pennsylvania, and I feel that this is good legislation and progressive legislation. It is something that Allegheny County and the city of Pittsburgh must have.

I wish to say, also, Mr. President, that the way this bill is written, the members of the Authority are actually agents of the County Commissioners because they can be removed at will by the appointing power. As Senator Barr has stated here, I am quite confident that the Commissioners of Allegheny County would be very reluctant to appropriate any money to implement the operation of this legislation if they were not sure that the program was going through.

As far as referendums are concerned, I have often thought that they are more or less plebiscites. We gentlemen here represent the people of Pennsylvania, and upon our record we must either stand or fall. Therefore, I do not believe that a referendum at this particular time is proper.

May I also say, Mr. President, that I have heard people oppose this legislation with negative thought. I have asked many of them, "What is your substitute?" I have never heard of any substitute. No one has told me anything about a substitute. I feel that the Members of this Senate have a responsibility to the metropolitan areas because the deterioration of the central parts of our cities has advanced to the point where, unless we do something about transportation, these large buildings are going to be abandoned. Tax assessments will be lost. When talking about costs upon the taxpayers, let me say that if a few of these buildings are abandoned and they are given back to the county because the taxes cannot be paid, then, of course, the people of the metropolitan areas are going to suffer as far as taxes are concerned.

It appears to me also, Mr. President, that this legislation will help business not only in Pittsburgh, but in Alle-



gheny County, as a whole, and that is what we want. We have been endeavoring to help business here in Pennsylvania since 1949. Even though this may cost some money, I have confidence in the Commissioners of Allegheny County. I have confidence in the elected officials, and I know they will try to do the right thing.

Senator Walker, who was formerly the Floor Leader on the other side, served in the Senate with distinction. I think most of us have a wholesome respect for him. I know that Senator Walker will do the very best he can. He happens to be a Republican, too, but he still will do the best he can for the people of Allegheny County.

John J. Kane has served for years, and he has done a good job. Some will say, "Kane is not going to be in there." However, he is going to have a very able man succeed him. Those men are not going to go out willy-nilly on something unless they are sure of themselves.

I have the utmost confidence in those public officials, and I think the Senate does also. We should pass this legislation and not accept amendments, because if we accept this amendment, we are killing the bill. That is the story.

Mr. KOPRIVER, JR. Mr. President, the eminent Attorney General of Pennsylvania, Anne Alpern, has put it this way:

"In general, I am opposed to government by authority because it would mean buying out the Pittsburgh Railways at a high price which has no relation to its real value. It would mean taking on an extraordinary undertaking—a migraine municipal headache from which the city would never recover. Government has enough to cope with today. It needs no new problems."

Mr. BARR. Mr. President, I would like to see the manuscript from which the gentleman just read. I think it is probably taken out of context.

Mr. KOPRIVER, JR. It is taken out of "The Pittsburgh Story," Senator Barr, but she said it.

Mr. BARR. You said it was a letter.

Mr. KOPRIVER, JR. I said it was taken out of "The Pittsburgh Story."

Mr. BARR. May I see it, please?

Mr. KOPRIVER, JR. Certainly.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. BARR. Mr. President, I have no objection to what the gentleman has said. It is out of context, as I thought. He said it was a Pittsburgh story, written by Anne Alpern when she ran for judge. She was a judge for five years, so that would be six years and she has been here a year. Therefore, that would be seven years ago.

Mr. KOPRIVER, JR. Mr. President, I want to correct Senator Barr.

At the beginning of the Bicentennial, and I think he knows this, there was a great book written,—some people call it great and I am sure it is great—called "The Pittsburgh Story," put out by the very people who are interested in Pittsburgh and in renaissance of Pittsburgh. This was part of that story, "The Pittsburgh Story." It was not part of her campaign. That is what I said.

Mr. BARR. Well, then, Senator Koprivier, number one, I think it has nothing to do with the amendment; number two, it was a campaign document; and, number three, it was at the time when the Pittsburgh Railways Company

was trying to get a rate increase from the Public Utility Commission.

Mr. LANE. Mr. President, I might say that I have opposed Authorities many times. However, in this case, they are with us. They are an absolute necessity and we must have them. Without Authorities, we would not be able to build our schools. I think the State School Building Authority is doing a very good job. Certainly, it is an expensive operation, but we have something here we must live with and we have to do the best that we can.

However, Mr. President, this discussion does not particularly pertain to Authorities. We are now talking about a referendum.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BLASS. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. KOPRIVER, JR. Mr. President, how did the gentleman from Philadelphia, Senator Camiel, vote?

The PRESIDENT. The gentleman from Philadelphia, Mr. Camiel, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, the gentleman is not here.

The PRESIDENT. I am sure that somebody must have answered for him.

Mr. KOPRIVER, JR. That may be so, Mr. President, but Senator Camiel is not present.

How is the gentleman from Philadelphia, Senator Donolow, recorded as having voted?

The PRESIDENT. The gentleman from Philadelphia, Mr. Donolow, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, he is not here.

How is the gentleman from Philadelphia, Senator DiSilvestro, recorded as having voted?

The PRESIDENT. The gentleman from Philadelphia, Mr. DiSilvestro, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, the gentleman is not here.

How is the gentleman from Philadelphia, Senator Silvert, recorded as having voted?

The PRESIDENT. The gentleman from Philadelphia, Mr. Silvert, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, Senator Silvert is not present.

How is the gentleman from Philadelphia, Senator Stiefel, recorded as having voted?

The PRESIDENT. The gentleman from Philadelphia, Mr. Stiefel, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, he is not here.

How is the gentleman from Northampton, Senator Rooney, recorded as having voted?

The PRESIDENT. The gentleman from Northampton, Mr. Rooney, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, he is not here.

How is the gentleman from Philadelphia, Senator Mullin, recorded as having voted?

The PRESIDENT. The gentleman from Philadelphia, Mr. Mullin, is recorded as having voted "no."

Mr. KOPRIVER, JR. Mr. President, he is not here.

Mr. President, I ask for a verification of the roll call.

The PRESIDENT. The Clerk may call the roll, please.

Mr. KOPRIVER, JR. Mr. President, you have had enough time, I think, to verify the roll call.



The PRESIDENT. The Senate is at ease at the moment. Mr. KOPRIVER, JR. I did not understand that.

Point of order, Mr. President. I asked for a verification of the roll call before the Senate was at ease.

Mr. President, the gentleman from Allegheny, Senator Barr is not the Chief Clerk up there, is he? The Clerk does not need any assistance.

Mr. WEINER. Mr. President, I believe some implication was made by the gentleman that there are some Members who are not present. They may have left this Chamber, but some of their belongings are here.

Therefore, Mr. President, I would ask for a recess until we bring those people in here.

Mr. KOPRIVER, JR. Mr. President, I object.

This is my fourth Session in this Senate and I can remember many, many times when that was tried on our side and the Members on the other side did not permit it.

Therefore, Mr. President, I object.

#### MOTION TO ADJOURN

Mr. WEINER. Mr. President, if there is an objection to that, I then make the motion that we adjourn until 8:00 o'clock this evening. By that time, the Members can be brought here.

The PRESIDENT. Are you speaking of Eastern Standard Time or Daylight Saving Time?

Mr. WEINER. I will make it Eastern Standard Time.

The PRESIDENT. A motion to adjourn takes precedence over every other motion.

Mr. KOPRIVER, JR. Mr. President, I am only asking for a final vote.

Mr. WEINER. Mr. President, I believe the final vote could be read to the gentleman. However, a verification of the roll call is the motion which is before this body.

The PRESIDENT. There is a motion for a verification of the vote. A motion to adjourn would take precedence over that motion for verification.

Mr. BERGER. I believe, Mr. President, that nothing may interrupt the announcement of the roll call.

The PRESIDENT. The roll call has been completed. The only matter before the Senate is the verification of the roll call.

Mr. BERGER. The roll call has not yet been announced.

Mr. WEINER. Mr. President, when the announcement was going to be made on the roll call, the gentleman interceded and asked for a verification of the roll. I would respectfully suggest to the Chair that the roll call be announced to this Body.

The only two motions before this Senate would then be the verification of the roll call, which has not been seconded, plus the fact that a motion was made for adjournment. There is a Member here to second that motion if the Chair would give him a chance. There has been no second to the motion for a verification of the roll call. The motion to adjourn supersedes any other motion before this Body and is not debatable.

Mr. BARR. Mr. President, I second the motion to adjourn.

The PRESIDENT. There is no doubt that a motion to adjourn would take precedence over a motion to verify the roll call.

Mr. BERGER. Mr. President, simply in the interest

of order in this matter, I inquire of the Chair whether or not this constitutes an interruption of the roll call.

Mr. WEINER. Mr. President, the roll call has been completed. The interruption of the roll call was an interruption by the gentleman who asked for a verification. He would not allow the Clerk to announce what the final result was, in order for the announcement of the roll call to be made by the Chair. That was interrupted by asking for a verification. There has been no second to the motion for a verification of the roll call. That motion has been superseded by a motion to adjourn, which has been duly seconded and is not debatable.

Mr. PECHAN. Mr. President, I second the request for a verification of the roll.

The PRESIDENT. May I confer with Senator Weiner and Senator Berger, please? The Senate will be at ease.

(The Senate was at ease.)

Mr. KOPRIVER, JR. Mr. President—

The PRESIDENT. Senator Koprivier, are you withdrawing your request for the floor?

Mr. KOPRIVER, JR. I am, Mr. President.

The PRESIDENT. The result of the vote should be announced.

Mr. WEINER. Mr. President, I believe that for the purpose of orderliness—

The PRESIDENT. For the purpose of what?

Mr. WEINER. For an orderly procedure in this matter, or an order of proceeding in this matter, we should have a roll call which is complete. No announcement was made as to the final effect of this roll. We had a motion for verification with a notation made by the gentleman. There was no second to that verification.

If the Chair will allow me to respectfully advise it, the only thing that has to be done is the announcement of the roll now. The motion to adjourn is before you immediately following the announcement of that roll call, and we must act on that motion.

I do not believe that a verification of the roll, which is improperly before you, has any standing at this time, nor can it intervene between the motion to adjourn and the announcement of the roll.

The PRESIDENT. This is an argument, and there is no need for it at this point. I have just asked that the vote be announced on the roll call.

Mr. WEINER. If the Chair please, the gentleman, Mr. Koprivier, of Allegheny County, asked that his motion be withdrawn, and the Chair, I believe, ruled on that and asked for the vote to be announced.

Mr. KOPRIVER, JR. I did not withdraw my request, Mr. President.

The PRESIDENT. Senator Koprivier stated previously that he would not ask for the Floor. I did not hear him ask for the withdrawal of his motion. However, that is of no moment because it was not seconded at the proper time.

Mr. WEINER. Mr. President, I must have misunderstood his motion, and I want to apologize to the gentleman for doing so.

The PRESIDENT. It might be well to say that a motion to adjourn is always in order, except during the taking or verification of a vote. Therefore, the motion to adjourn could only be made after the completion of the roll call, which the Clerk should now announce.

The yeas and nays were required by Mr. BLASS and were as follows, viz:

## YEAS—21

Berger,	Keller,	Mallery,	Wade,
Blass,	Kessler	Pechan,	Wagner,
Confair,	Koprivier, Jr.	Shafer,	Walker,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Van Sant,	Wolfe,
Harney,			

## NAYS—22

Barr,	Lane,	Murray,	Scott,
Chapman,	Mahady,	Propert,	Seyler,
Ehrgood,	McCreesh,	Ripp,	Taylor,
Fleming,	McGinnis,	Ruth,	Watkins,
Hays,	McMenamin,	Sartaf,	Weiner,
Kalman,	Miller,		

So the question was determined in the negative.

Mr. KOPRIVER, JR. Mr. President, someone cannot count. There are eight missing on the other side. I think we should be fair.

## POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, the roll has been announced. I believe the ruling of the Chair was that the roll would be announced and that we would act on the motion to adjourn, which is before this Body, and which has been duly seconded.

The PRESIDENT. That is the ruling of the Chair.

Mr. KOPRIVER, JR. Mr. President, is not a verification of the roll part of the roll call vote?

The PRESIDENT. No, it is not. It never has been, sir.

Mr. KOPRIVER, JR. All right, then does a motion to adjourn—

The PRESIDENT. A motion to adjourn is in order at any time except during the taking of a vote. The vote has been taken. The results have been announced, and the motion to adjourn has been seconded. All those in favor—

Mr. KOPRIVER, JR. Mr. President, I ask for a roll call vote.

The PRESIDENT. The motion was about to be put, sir.

Mr. LANE. Mr. President, a motion to adjourn is not debatable.

The PRESIDENT. You are absolutely correct, but the motion has not been put. I was about to put in.

Mr. BERGER. Mr. President, I ask for a roll call on the motion.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

## MOTION TO ADJOURN WITHDRAWN

Mr. WEINER. Mr. President, I withdraw my motion to adjourn.

The PRESIDENT. That takes care of some of our problems.

Mr. BARR. Mr. President, I withdraw my second to the adjournment motion.

## RECONSIDERATION OF AMENDMENT

Mr. FLEMING. Mr. President, I now move that the vote by which the amendment to House Bill No. 1297 was just defeated be reconsidered.

The PRESIDENT. How did the gentleman vote?

Mr. FLEMING. With the prevailing side.

Mr. BARR. I second the motion.

The PRESIDENT. How did the gentleman vote?

Mr. BARR. With the prevailing side, Mr. President.

Will the Senate agree to the motion?

On the question,

Mr. McMENAMIN. Mr. President, I wanted to say a couple of things. I would have seconded Senator Fleming's motion. I am glad now that the motion to adjourn was withdrawn because I was going to vote against it. I think we should settle this thing once and for all.

I have always had a great pride in being a Member of this Body. However, I do have to say that this discussion on the amendments, the vote and the request for the verification of it was, in my opinion, the sorriest spectacle I have seen here in this State Senate. I think that the integrity of the democratic process is more important than the failure or the success of any bill that we have before us.

It has always been my understanding, and I think the custom of the Presiding Officer since I have been here, that when a motion is made, to request a second. There was a parliamentary trick or maneuver made to introduce a motion to adjourn, which we all know is not debatable, before the second to the verification could be requested or recognized. I did see one of the Senators—I believe it was Senator Pechan—attempts to become recognized for the purpose, I believe, of seconding the motion for a verification.

I do think that any Senator is entitled to the courtesy of this Body, and that Senator Koprivier should have been allowed to request this verification, and have the roll verified at the time it was asked.

Mr. WEINER. Mr. President, I would like to point out one thing to the gentleman who just spoke. What he may have considered a parliamentary maneuver, I think, was one more step in what he was saying about the dignity of this Body and the people involved in it. I believe there was an implication made. I do not think the gentleman did it wilfully or to in any way impinge upon the Members of this Body. I think he was caught up in the debate on this motion and was very sincere in trying to obtain a certain result, and he did a very effective job.

It has been said that some Members were not present, but they had been in this hall. Some had recently gone to attend committee meetings. I believe it was proper to ask that we give these people time to come back here so that they could be recorded on the verification of the roll. It was not a parliamentary maneuver or any type of attack to prevent what was going to be the ultimate result in this matter.

I think all of the Members present should have regard for the other Members who may or may not be present. We are constantly under heavy pressure when we are present, from people back home, from people who are present in this Chamber and from our colleagues. I think these gentlemen deserve an opportunity to be here and to be heard. That is a courtesy we should extend to anyone who is a Member of this Body.

Mr. McMENAMIN. Mr. President, I think that a Senator who has been here during the day and stepped out of the room temporarily is in one category. However, at least one of the Senators was recorded as voting "no" on this amendment, according to what the clerk said, and all



of us know that he is on the west coast. I do not see how, under any circumstances, the parliamentary maneuvering which went on can be justified when that type of vote was recorded.

#### REQUEST FOR RULING BY THE CHAIR

Mr. BERGER. Mr. President, while we are on the subject, I believe that it was well known to all the Members of the Senate that there would, undoubtedly, be a roll call taken upon the question involving this particular bill this afternoon, and had the Senators who were absent been interested, I am sure they would have been here to vote on it. However, that is not the object of my speaking here at this moment.

I would like to request, Mr. President, a ruling from the Chair as to whether or not it is necessary to second a verification request made by any Senator in the Hall because, in my experience, there have been no seconds to requests for verifications of the roll when made by any Senator.

The PRESIDENT. Would you wish a ruling on that immediately, or would you be willing to give the Chair time to consider the matter?

Mr. BERGER. I would be willing to give the Chair all of the time that he requires. It is simply for future guidance, Mr. President, because I am sure that if a second is necessary, we have been very remiss over the past ten or twelve years.

The PRESIDENT. Certainly. One of the things I would have done, upon leaving this Chamber, would have been to look up this particular point. I will do that, and report my ruling to the Body.

I am certain that the Senate has been very careful in its conduct, while I have been its Presiding Officer, in an attempt to do nothing that would hurt the democratic processes of our government.

Mr. FLEMING. Mr. President, I am sorry for what has occurred. However, I think, in all fairness, attention should be drawn to the Membership of the courtesies which at times have been extended to our side of the house by the Democratic side when they have permitted us to vote some men who were not present. I can recall one instance, not in this Session but in another Session, when we were permitted to vote a man who was in the hospital. At this Session, I know of many times when all fifty of the Members of this Chamber have been recorded. Probably that is not right, sir. Probably only those people who are in their seats should be permitted to be recorded. However, it is a courtesy which has been extended from one side to the other and I have not heard it questioned very often. Certainly, the question has been raised today. I do agree with Senator McMenamin that when the question has been raised unquestionably we should only record those who are in the Chamber; those who have voted.

I think that Senator Barr recognized that, along with myself. Both of us had voted in the negative and, seemingly, according to the vote that had been announced, had won our point. I am sure I can speak for Senator Barr when I say we certainly are prepared to forego any victory we might have at the moment if, in any way, we are establishing a precedent which would hamper the democratic processes as we know them in this Senate of Pennsylvania.

Mr. President, I would now ask, sir, that the roll be called and only those who are in the Chamber be recorded.

Mr. LANE. Mr. President, I think that most of you will distinctly recall when I opposed the passage of the four per cent sales tax, there were two Members voted who were not in their seats; namely, Senator DiSilvestro, who was in the hospital, and Senator Miller. You did not hear any objection from me because I appreciate the circumstances, and it has been the practice here in the past to permit those people to be voted.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the amendment?

(During the calling of the roll, the following occurred:)

#### VERIFICATION OF THE ROLL

Mr. BERGER. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

Berger	Keller	Madigan	Van Sant
Blass	Harney	Mallery	Wade
Confair	Kessler	Pechan	Wagner
Elliott	Kopriever, Jr	Shafer	Walker
Flack	Kromer	Stevenson	Whalley
			Wolfe

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

Barr	Lane	Murray	Scott
Chapman	Mahady	Propert	Seyler
Ehrgood	McGinnis	Ripp	Taylor
Fleming	McMenamin	Ruth	Watkins
Hays	Miller	Sarraff	Weiner
Kalman			

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The roll was called and was as follows:

#### YEAS—21

Berger,	Keller,	Mallery,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Confair,	Kopriever, Jr.,	Shafer,	Walker,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Van Sant,	Wolfe,
Harney,			

#### NAYS—21

Barr,	Lane,	Murray,	Scott,
Chapman,	Mahady,	Propert,	Seyler,
Ehrgood,	McGinnis,	Ripp,	Taylor,
Fleming,	McMenamin,	Ruth,	Watkins,
Hays,	Miller,	Sarraff,	Weiner,
Kalman,			

Mr. KOPRIVER, JR. Mr. President, how did the gentleman from Allegheny, Senator Ripp, vote?

The PRESIDENT. The gentleman from Allegheny, Mr. Ripp, is recorded as having voted "no."

Mr. BARR. The roll call has already been verified. Mr. President.

The PRESIDENT. In accordance with the Constitution, the Presiding Officer has the right to vote in the event of a tie vote, and votes in the negative. On the basis of the vote, it is 21 "yeas" and 22 "nays," and the amendments are defeated.

Mr. Koprivier, JR. Mr. President, I offer the following amendments, and ask that they be adopted.

The PRESIDENT. The Clerk will read the amendments to Section 3.

The amendments were read by the Clerk as follows:

Amend Sec. 3 (Sec.3), page 11, line 6, by striking out "same" and inserting: "following"; Amend Sec. 3 (Sec. 3), page 11, lines 7 and 8, by striking out "as provided in section 7 of this act in determining compensation" in line 7, and all of line 8 and inserting: "(i) The gross annual revenue; (ii) the original cost of construction with particular reference to the amount expended in existing and useful permanent improvements; (iii) the amount in market value of the owner's bonds and stocks if the owner be a corporation as shall be just and fair; (iv) the probable earning capacity of the property under particular rates prescribed by statute or ordinance or other municipal contract or fixed by any regulatory body; (v) the items of expenditures for obsolete equipment and construction as the circumstances and historical development of the property may warrant; (vi) the reproduction cost of the property based upon the fair average price of materials property and value, and the development and going-concern value of such properties and franchises; (vii) any element of delay in exercising the power granted by this subsection; and (viii) any other elements of value."

On the question,

Will the Senate agree to the amendments?

Mr. KOPRIVER, JR. Mr. President, I do not want to give a discussion here but, in brief, these are amendments to take out eminent domain from the bill.

Mr. LANE. Mr. President, I oppose the adoption of these amendments and I ask my colleagues to vote "no."

Mr. KOPRIVER, JR. Mr. President, I ask my colleagues in the Senate, in the name of fair play and justice, to vote in favor of the amendments.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

Mr. KOPRIVER, JR. Mr. President, I offer the following amendments, and ask that they be adopted.

The PRESIDENT. The Clerk will read the amendments to Section 12.

The amendments were read by the Clerk as follows:

Amend Sec. 12 (Sec. 13.1), page 31, line 10, by striking out "condemnation"; Amend Sec. 12 (Sec. 13.1), page 31, line 18, by striking out "Upon" and inserting: "Except as otherwise provided in this section upon"; Amend Sec. 12 (Sec. 13.1), page 32, line 4, by inserting after "area"; "except as otherwise provided in this section"; Amend Sec. 12 (Sec. 13.1), page 32, line 5, by striking out "The" and inserting: "Except as otherwise provided in this section the"; Amend Sec. 12 (Sec. 13.1), page 32, line 5, by striking out "exclusive"; Amend Sec. 12 (Sec. 13.1), page 32, line 19, by striking out "in" and inserting in lieu thereof: "In"; Amend Sec. 12 (Sec. 13.1) page 33, line 4, by striking out "for" where it appears the second time and

inserting in lieu thereof: "including"; Amend Sec. 12 (Sec. 13.1), page 33, line 6, by inserting after "area": "Said excepted transportation systems shall continue to be under the supervision, control and regulation of the Public Utility Commission and the provisions of the Public Utility Law and the authority shall not have any jurisdiction or control over the rates, service or operations of said systems"; Amend Sec. 12 (Sec. 13.1), page 33, line 14, by inserting after "purchase": "or"; Amend Sec. 12 (Sec. 13.1), page 33, line 14, by striking out "or eminent domain"; Amend Sec. 12 (Sec. 13.1), page 34, line 8, by inserting after "commisison": "Until it is acquired or enters into an operation contract as set forth above each transportation system shall continue to be under the supervision, control and regulation of the Public Utility Commission and the provisions of the Public Utility Law, and the authority shall not have any jurisdiction or control over the rates, service or operations of said system, nor shall the authority, without the prior approval of the Pennsylvania Public Utility Commission, operate any mass transportation system in any manner that will result in a change in competition with a system that is to be acquired, as it exists on the date of the recording of the plan of integrated operation."

On the question,

Will the Senate agree to the amendments?

Mr. LANE. Mr. President, I wish to oppose these amendments and I request my colleagues to vote "no."

And the question recurring,

Will the Senate agree to the amendments?

Mr. KOPRIVER, JR. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. KOPRIVER, JR. and were as follows, viz:

YEAS—21

Berger,	Keller,	Mallery,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Confair,	Koprivier, Jr.,	Shafer,	Walker,
Elliott,	Kromer,	Stevenson,	Whalley,
Flack,	Madigan,	Van Sant,	Wolfe,
Harney,			

NAYS—21

Barr,	Lane,	Murray,	Scott,
Chapman,	Mahady,	Propert,	Seyler,
Ehrgood,	McGinnis,	Ripp,	Taylor,
Fleming,	McMenamin,	Ruth,	Watkins,
Hays,	Miller,	Sarra,	Weiner,
Kalman,			

The PRESIDENT. The vote on the amendments is a tie vote. Under the Constitution, the Presiding Officer may vote and my vote is in the negative. Therefore, the amendments are defeated.

Mr. KOPRIVER, JR. Mr. President, I offer the following amendments to House Bill No. 1297, and ask that they be adopted.

The PRESIDENT. The Clerk will read the amendments to Section 7.

The amendments were read by the Clerk as follows:

Amend Sec. 7 (Sec. 7.1), page 17, lines 13 to 18, page 18, lines 1 to 20, page 19, lines 1 to 20, page 20, lines 1 to 20, page 21, lines 1 to 11, by striking out all of said lines, and inserting: "Section 7.1 The authority shall not exercise the power of eminent domain with respect to or in connection with the business of owning, operating and main-



taining a transportation system"; Amend Sec.7 (Sec. 7.1), page 18, line 6, by inserting after "worship": "nor any transportation company or system that is furnishing adequate or satisfactory service."

On the question,

Will the Senate agree to the amendments?

Mr. KOPRIVER, JR. Mr. President, these amendments are just simple amendments. They try to protect the bus companies in Allegheny County, which are doing a good job and giving satisfactory service. They also, again, amend eminent domain. That is done for the reason of fair play and justice in Allegheny County.

Mr. LANE. Mr. President, I believe that the bill provides, at the present time, that these bus companies are protected until the plan is put into effect.

Therefore, I request that my colleagues on both sides of the aisle vote "no" on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative.

### REQUEST THAT BILL GO OVER IN ORDER

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent that House Bill No. 1297, Printer's No. 1507, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. BARR. Mr. President, I object.

The PRESIDENT. There has been an objection to this bill going over in its order.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I move that House Bill No. 1297 go over in its order.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I ask all my colleagues to vote "no" on this motion.

And the question recurring,

Will the Senate agree to the motion?

Mr. KOPRIVER, JR. Mr. President, I ask for a roll call.

(During the calling of the roll, the following occurred:)

### VERIFICATION OF THE ROLL

Mr. BERGER. Mr. President, I request a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

Mr. LANE. Mr. President, was there a second to that request for a verification of the roll?

The PRESIDENT. No, Senator Lane. I am ruling at this hour that a request by a single Member of this august Body will be considered as appropriate and I have ordered a verification.

Mr. LANE. Is that as of today, Mr. President?

The PRESIDENT. As of this minute, Senator Lane.

The Clerk will call the names of those recorded as having voted in the affirmative.

Berger	Harney	Mallery	Van Sant
Blass	Keller	Pechan	Wade
Confair	Kessler	Propert	Wagner
Ehrgood	Koprivier, Jr.	Scott	Walker
Elliott	Kromer	Shafer	Whalley
Flack	Madigan	Stevenson	Wolfe

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

Barr	Lane	Murray	Seyler
Chapman	Mahady	Ripp	Taylor
Fleming	McGinnis	Ruth	Watkins
Hays	McMenamin	Sarra	Weiner
Kalman	Miller		

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. KOPRIVER, JR. and were as follows, viz:

### YEAS—24

Berger,	Harney,	Mallery,	Van Sant,
Blass,	Keller,	Pechan,	Wade,
Confair,	Kessler,	Propert,	Wagner,
Ehrgood,	Koprivier, Jr.,	Scott,	Walker,
Elliott,	Kromer,	Shafer,	Whalley,
Flack,	Madigan,	Stevenson,	Wolfe,

### NAYS—18

Barr,	Lane,	Murray,	Seyler,
Chapman,	Mahady,	Ripp,	Taylor,
Fleming,	McGinnis,	Ruth,	Watkins,
Hays,	McMenamin,	Sarra,	Weiner,
Kalman,	Miller,		

So the question was determined in the affirmative.

### REMAINING BILLS ON SECOND READING CALENDAR

### OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

### REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate

do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law: \* \* \* and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 186, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), further regulating the operation of bowling and tenpin alleys and providing for referendums in municipalities and townships to authorize or prohibit the operation of bowling lanes on Sundays.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners, or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania; and making the operation of such vessels in the Commonwealth of Pennsylvania, the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served; and providing for further notice to the defendant in any such suit.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 301, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921," providing insurance for self-insurers for liabilities under the Pennsylvania Workmen's Compensation Laws and the Pennsylvania Occupational Disease Laws in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 632, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116) entitled "An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties" requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed delivery tickets and requiring that such delivery tickets be furnished to consumers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 677, entitled:

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines; \* \* \*" changing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 679, entitled:

An Act amending the act of March 26, 1925 (P. L. 83), entitled "An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels, \* \* \* and providing penalties," eliminating licenses and license fee requirements.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 680, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), changing provisions relating to weighing and measuring permits.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 879, entitled:

An Act amending the act of June 18, 1941 (P. L. 133), entitled "An act relating to coal stripping operations; . . . requiring certain information and reports and prescribing penalties," extending the provisions of the act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 883, entitled:



An Act prohibiting the packaging delivery or sale of certain plastic bags unless a warning is attached thereto and imposing a penalty.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," regulating sales by distributors and importing distributors, and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1041, entitled:

An Act amending the act of June 20, (P. L. 521), entitled, as amended, "Transfer Inheritance Tax Law," excepting from the tax transfers of certain property interests in and income therefrom to cemetery companies, corporations or associations operated exclusively for the benefit of its members and not operated for profit.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1046, entitled:

An Act prescribing penalties for bail jumping.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act," permitting the resale, retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1051, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the sale of starter pistols to minors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," clarifying the provisions excepting certain work from the provisions which makes worldly employment unlawful on Sunday.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the keeping of liquor in packages without official seals; and prohibiting certain actions in regard to official seals.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1071, entitled:

An Act amending "An act to consolidate, amend and revise the Penal Laws of the Commonwealth," approved June 24, 1939 (P. L. 872) regulating the advertisement of merchandise offered for sale by certain businesses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing for the appointment of special school police; defining their powers and duties; and providing for their compensation by the school district.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," changing the limit on retail licenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," further providing for the use of certain words in the corporate name.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912), entitled "Bakery Law," changing certain definitions; conferring additional powers and duties on the Department of Agriculture; and further regulating the sale and importation of bakery products.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1228, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1437, entitled:

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) defining the term "business," providing for the change of location from one county to another, and designating the persons to sign an application to amend the certificate.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1455, entitled:

An Act amending the "Bituminous Coal Open Pitt Mining Conservation Act," approved May 31, 1945 (P. L. 1198), changing penalties in regards to certain actions relating to registration and furnishing of bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1463, entitled:

An Act repealing sections 1261, 1262, and 1263, of "The County Code" approved August 9, 1955, (P. L. 323) relating to recognizance of sheriffs and coroners.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1823, entitled:

An Act providing for the creation, maintenance and operation of an employees' retirement system in cities of the second class A, and imposing certain charges on cities of the second class A and school districts in cities of the second class A.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowance and reinstatement and requirement for credit for previous service.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1654, entitled:

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), increasing the rate and regulating the taxing of house trailers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1835, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), further regulating the exercise of powers by the Department of Banking and boards thereof; . . .

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1945, entitled:

An Act amending "The County Code," approved August



9, 1955 (P. L. 323), providing an allowance for seventh and eighth class county surveyors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2265, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law," creating and imposing duties on mine safety committees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2266, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2267, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), providing that newly assigned mine inspectors be conducted through each

mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2270, entitled:

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176), regulating the marking of means of ingress and egress in mines.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines" requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases and empowering the court to make finding and decree the death of such person.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2315, entitled:

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, September 2, 1959, at 9:00 o'clock, a. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:09 o'clock, p. m., Eastern Standard Time, until Wednesday, September 2, 1959 at 9:00 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, September 1, 1959

The House met at 11:00 a. m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, our Father, we are aware of Thy presence and the nearness which Thy Spirit giveth to life. Help us to realize that in many situations of life we are required to walk by faith and not sight. So, grant to these Thy workmen such a faith that they may march safely on the pathway which stretches out before them. And as they move steadily forward in Thy truth, enable them to lead us as valiant Sons of God. In the precious name of Jesus Christ, we pray. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, August 31, 1959 will be postponed until printed.

The Chair hears none.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 184.

An Act amending "The Permanent Registration Act for Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487), requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically.

HOUSE BILL No. 521.

An Act authorizing the use of certified mail in lieu of registered mail.

HOUSE BILL No. 851.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), authorizing veterans to gain residences as electors at homes for disabled and indigent soldiers and sailors.

HOUSE BILL No. 1060.

An Act amending the act of May 10, 1951 (P. L. 279), entitled "An act to improve and extend by reciprocal legislation the enforcement of duties and of support and to make uniform the law with respect thereto" changing and clarifying provisions relating to fees procedures and enforcement permitting intrastate use of the act providing for the registration and enforcement of foreign support orders. \* \* \*

HOUSE BILL No. 1066.

An Act authorizing an interstate compact concerning detainees and for related purposes.

HOUSE BILL No. 1468.

An Act amending the act of April 27, 1925 (P. L. 324), entitled "An act for the distribution by the Commonwealth

and counties to townships and school districts of moneys received from the United States from Forests Reserves within the Commonwealth" authorizing the electors of a township to adopt an alternative basis for distribution of moneys.

HOUSE BILL No. 1483.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations to posts of the Society of the 28th Division AEF Inc. to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

HOUSE BILL No. 1528.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. ), No. 32 providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

HOUSE BILL No. 1892.

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers \* \* \*" giving the court jurisdiction in the trial of indictments for arson and burglary.

HOUSE BILL No. 1903.

An Act to prohibit discrimination in employment by the Commonwealth its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases.

With the information that the Senate has passed the same without amendment.

## SENATE MESSAGE

## AMENDED SENATE BILLS, CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 36.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" further regulating the investment of borough funds.

SENATE BILL No. 553.

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

## SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 1577.

## BILLS INTRODUCED AND REFERRED

By Messrs. TRUSIO and A. J. MURPHY.

HOUSE BILL No. 2349.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), making available to the public, the names and addresses of the stockholders of a corporation applying for a hotel, restaurant or club license.

Referred to the Committee on Liquor Control.



By Messrs. TRUSIO, A. J. MURPHY  
and SAKULSKY. HOUSE BILL No. 2350.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), allowing persons aggrieved by certain orders of the Secretary of Revenue to appeal to the court of common pleas in the county in which said person resides.

Referred to the Committee on Motor Vehicles.

By Messrs. TRUSIO, A. J. MURPHY,  
SAKULSKY and JUMP. HOUSE BILL No. 2351.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prescribing the minimum discount for sale of liquor to licensees.

Referred to the Committee on Liquor Control.

By Messrs. TRUSIO, SAKULSKY and  
A. J. MURPHY. HOUSE BILL No. 2352.

An Act prohibiting the sale of certain insurance policies to restaurant licensees and malt and brewed beverage retail licensees; prescribing penalties and imposing duties on the Insurance Department.

Referred to the Committee on Insurance.

By Messrs. WALSH, DONALDSON, AGNEW  
and McLAUGHLIN. HOUSE BILL No. 2353.

An Act amending the act of June 12, 1919 (P. L. 476), entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

Referred to the Committee on Cities—Counties Second and Second Class A.

## REPORTS FROM COMMITTEE

Mr. ESHLEMAN from the Committee on Education, reported as amended, House Bill No. 403, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled, "An act relating to the public school system, etc. . . . " providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

Mr. IRVIS from the Committee on Judiciary, reported as amended, House Bill No. 1340, entitled:

An Act amending the act of April 22, 1889 (P. L. 41), entitled "An act relative to entry of judgement, authorizing the courts to permit the same to be made by the prothonotary on praecipe," requiring notice by registered mail to persons against whom judgment is sought for want of an appearance.

Mr. LAMB from the Committee on Judiciary, reported as amended, House Bill No. 1854, entitled:

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

Mr. ROVANSEK from the Committee on Education, reported as amended, Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

Mr. LAMB from the Committee on Judiciary, reported as amended, Senate Bill No. 639, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086), entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons" whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

Mr. LUIGARD from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 488, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for payment for bear damage to field produce by the Department of Agriculture, and making an appropriation.

Mr. CAPANO from the Committee on Welfare, re-reported as committed, House Bill No. 765, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

Mr. SHERMAN from the Committee on Judiciary, re-reported as committed, House Bill No. 1505, entitled:

An Act amending the act of April 6, 1951 (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed \*\*\*" defining standards for issuance of an injunction for enjoining the operation of establishments not licensed theretofore.

Mrs. MUNLEY from the Committee on Law and Order, reported as committed, House Bill No. 1879, entitled:

An Act amending the "Liquor Code" act of April 12, 1951 (P. L. 90), authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

Mr. GELFAND from the Committee on Judiciary, reported as committed, House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

Mrs. ANDERSON from the Committee on Education, reported as committed, House Bill No. 2175, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), validating certain unions of school districts.

Mr. FLOYD from the Committee on Education, reported as committed, House Bill No. 2207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80), entitled "Interstate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

Mr. SCHAAF from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 149, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" changing provisions relating to selection of city charter commissioners.

Mr. SCHAAF from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 161, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" providing additional procedure for creating cities authorizing elections and permitting selection of a form of city government in such cases from among several optional plans and conferring powers and imposing duties on courts of quarter sessions county boards of elections and corporate authorities of towns townships and boroughs.

Mr. DEVLIN from the Committee on Judiciary, reported as committed, Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69), entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

Mr. ISAACS from the Committee on Judiciary, reported as committed, Senate Bill No. 734, entitled:

An Act providing for combining trusts for the benefit of employes of the same employer upon approval by the court having jurisdiction of any one of such trusts.

Mr. AGNEW from the Committee on Judiciary, reported as committed, Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . . further providing for the taking of exceptions to rulings of the trial judge.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 852, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County.

Mr. LUIGARD from the Committee on Agriculture and Dairy Industries, re-reported as committed, House Bill No. 1853, entitled:

An Act amending the "Olemargarine and Butterine Law" approved June 30, 1947 (P. L. 1154), by adding and re-defining terms and increasing fees.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 488, entitled:

An Act amending "The Game Law," approved June 3,

1937 (P. L. 1225), providing for payment for bear damage to field produce by the Department of Agriculture, and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1505, entitled:

An Act amending the act of May 6, 1951 (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, \*\*\*" defining standards for issuance of an injunction for adjoining the operation of establishments not licensed theretofore.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1879, entitled:

An Act amending the "Liquor Code" act of April 12, 1951 (P. L. 90), authorizing licensed establishments to sell until two o'clock antemeridian on Sunday.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2175, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), validating certain unions of school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2207, entitled:

An Act amending the "Public School Code of 1949," (P. L. 30), providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80),



entitled "Intestate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 149, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" changing provisions relating to selection of city charter commissioners.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" providing additional procedure for creating cities authorizing elections and permitting selection of a form of city government in such cases from among several optional plans and conferring powers and imposing duties on courts of quarter sessions county boards of elections and corporate authorities of towns townships and boroughs.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69), entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 734, entitled:

An Act providing for combining trusts for the benefit of employes of the same employer upon approval by the court having jurisdiction of any one of such trusts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . . further providing for the taking of exceptions to rulings of the trial judge.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 852, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing annexation in certain instances of property owned by municipal

authorities created solely by said city on the effective date of this act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### HONORABLE VERNON KIRKPATRICK WELCOMED

The SPEAKER. It is the privilege of the Chair to introduce the Honorable Vernon Kirkpatrick, for 20 years a Member of the General Assembly of California where he has served with distinction.

I have asked our visitor to tell you briefly the story of how, as a Legislator, he started out 20 years ago with a salary, as I remember, of \$100 a month and no place to hang his hat, and what has happened since that time makes a very interesting tale indeed.

It is the Chair's pleasure to present to the House the Honorable Vernon Kirkpatrick, Member of the General Assembly from California.

### ADDRESS BY HONORABLE VERNON KIRKPATRICK

Hon. VERNON KIRKPATRICK. Thank you, Speaker Andrews. I consider it a very distinct honor to be invited to speak with you this morning, ladies and gentlemen, in the Legislative Halls of the great Commonwealth of Pennsylvania.

Your Speaker has invited me, as he has stated, to tell you something of the progress, the working conditions, the improvements that we have experienced over the past 20 years in the State of California. And I would tell you that as these improvements in our working day, our compensation, the decorum with which we could operate, the facilities which were added to our convenience improved, general public respect increased along with it.

As your Speaker has said, 20 years ago we were on a salary of \$1,200 a year; we drew \$12 dollars a day as applied against that \$1,200 for a period of 100 days; and when we went over that we lived on our own or we got the support of the third house.

At that time it seemed to me that the motives of many Members certainly was not in the Legislative Hall, but it was merely a stepping stone to some other spot where they wanted to go. So consequently, as the Governor neared his program, the Speaker or the Chairman of Rules or other strong men, the lawyers especially in the Legislature were seeking to do the bidding that they were invited to do in order that they might get to some other place.

Then industrial men on the payroll of great businesses came to the Legislature and their pay went on with the private industry while they were in the Legislature and then they went home. Others were in the insurance business and they arranged enough business while they were

in Sacramento during the Session that it took care of them pretty well. But, folks, this is not conducive to the best interests of the people of my State. So, finally, we asked the people for an increase in salary, but, mind you, a lot of Legislators were hesitant—they won't give it to us, they'll turn us down on this—but we asked for \$250 and they did turn us down. And the next two years we went back and asked for \$3,500 and we got it; four years later we asked for \$6,000 and we got it; and we have a measure to go on the ballot in November of next year for \$9,000.

When I went to the Legislature—this was 20 years ago—was the first year when a Legislator had an office. That year we were placed on the fourth floor, one elevator for 150 or 200 lobbyists, and the lobbyists always seemed to get to the elevator before we did. When we got to the elevator, our secretaries were somewhere else. We had a pool of 30 secretaries for 80 assemblymen and you did find, after a while, that your secretary was working for another assemblyman and so you had to take a secretary that you had not seen before. We did not have a telephone book. They cost a dollar. We could not afford to have a telephone book. I was in the Legislature for four years before they put out a car at State expense; I used to thumb my way from Los Angeles to Sacramento, back and forth, because we could not afford to pay; we had no income for that.

Today we are in a \$7 million annex. Every Member has his own private office. Every Member has a secretary. Every Member has at least two telephones, and by pushing a button the Sergeant-at-arms brings him the bills that he wants and renders any other service. We can call the library and books are brought over from the library that we require, and we can do more work for the people of California in 30 minutes now than we could do all day in the confusion that we had at that early time.

Yet, there were those people who felt that a Legislator should not be paid, but folks, if the man is worthy of his hire, he must be compensated accordingly.

Now, we get, while we are in Session, in addition to our \$6,000, \$18 a day expense money. Shortly when I return back home, I will be out on committee work and will receive \$20 a day. I will use my own automobile to drive about the State on official business and we get 15 cents a mile.

It occurs to me that the board of directors of a great Commonwealth of 15 million people should be compensated on the basis that the job is a thing in itself. They should not have to run for this spot in order to get to some other place.

Our local Board of Supervisors in Los Angeles draws \$20,000 a year, and the people voted for that salary themselves. We put a measure on the ballot a year ago asking that we be allowed to fix our own salaries. The papers made fun of that. I felt that it was not exactly a good measure, but this year we come back and we are asking for a \$9,000 salary and I have every feeling that it will be passed.

I just want to say something about the quality. The quality of the personnel of the Members who are in the California Legislature today probably could not be exceeded by any method that you would want to select, as compared with the years gone by when we had much to wish for. I think most of it has come about by the

fact that we have made it a desirable job and we have put it pretty much on a business basis. I feel, too, that as we elevate our own opinion of our responsibilities and our quality that the people will be inclined to accept that opinion.

The SPEAKER. The Chair certainly wants to thank the gentleman from California. It took 20 years of battle they have made and I guess they are at least half way to the goal they have in mind.

This is no occasion for the Chair to make any talk, but wants to emphasize the one point which stands out in the remarks of our visitor, that is, if you are going to be respected you have to start with self-respect. If you treat yourself as though you do not deserve respect, you do not get it, you can be judged by the manner of your life and the quarters in which you live. You can be judged by the quality of service that you provide for yourself.

The Chair certainly, on behalf of the House, thanks the gentleman from California, and wants to add that if there were a fund upon which the Speaker could draw, it would be part of our regular program that every two weeks or so we would have a visitor from some Legislature in some one of the States of our Union. It is possible for a Legislature to have too much inbreeding, and we should have the opportunity every now and then to hear the talks of a visitor to acquaint ourselves with what other Legislatures are doing to elevate themselves.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WHEELER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

#### REQUEST TO ADDRESS HOUSE

Mr. LAMB. Mr. Speaker, inasmuch as there seems to be a few minutes' lull, I would ask the permission of the Chair and the House to make a few remarks.

The SPEAKER. The Chair understands from the Majority Leader that he is about to take the floor to inaugurate the Memorial Service. If the gentleman will confer with the Majority Leader, it would suit the Chair at any time to hear the gentleman.

Mr. LAMB. I will do it later. Thank you.

#### RESOLUTION MEMORIAL SERVICES

Mr. MUSTO asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives,  
September 1, 1959.

Resolved, That Tuesday, the 1st day of September, 1959, at 11:45 A.M. o'clock, E.S.T., be set apart by this House of Representatives for addresses on the lives, character and public services of our deceased Members, as provided in a resolution already adopted by this House.

The SPEAKER. This being the day and the hour fixed by special order of the House to pay tribute to



the memory of our departed Members, the regular order of the business of the House will now be suspended.

### MEMORIAL SERVICES

Memory is the ivy that cloaks the ruins of the strong human towers that have fallen. Time furnishes the verdure that mantles the scars that time itself has caused. The passing of those who have served us as the strong pillars of our common existence confronts us with its period of blinding grief. We cry aloud and sometimes it would seem that there is no answer from across the vale.

Robert G. Ingersoll, standing beside his brother's grave, delivered an oration that has become a classic for all times. In that oration there was a deathless sentence. Speaking of the grief and despair that attends the departure of those we cherish and esteem, Ingersoll said: "In the midst of that black night hope sees a star and listening love can hear the rustle of a wing."

As we meet today in these Memorial Services, the rustle that we hear is the laughter that lives in memory, the comradeship that abides, the fellowship that is born among those who till a common field. We today turn back the pages of the Legislative Journal and for the hour, those to whose memory this service is dedicated, once again, in the mirror of our minds, occupy their familiar seats. They join with us in the promotion of the causes we must needs serve. Our mission is the creation and perpetuation of a human welfare state and that, too, was the cause served by those we today commemorate.

The departed ones to whom we today pay tribute, in their day paid tribute to those who had gone before them. The hour will come when future Members of this House will pay their tribute to us. Let us hope that we, in our time, can maintain the traditions of service that have been established for us.

The Chair requests the gentleman from York, Mr. Rudisill, Chairman of the Select Memorial Committee, to come to the rostrum and preside.

### Mr. RUDISILL IN THE CHAIR.

The CHAIRMAN. Once again, as has been done many, many times in the past in this Hall, all business of the House of Representatives has been suspended so that we might, in accordance with the memorial resolution unanimously adopted, go into memorial session, and to the end that we might approach the memorial hour with fitting solemnity and with our hearts and our minds attuned to the purpose thereof, we have caused the Mace to be properly draped.

Prayer will be offered by the Chaplain and a hymn sung by the House Chorus under the direction of the gentleman from Delaware, Dr. Dengler.

### PRAYER

Prayer was offered by Reverend David R. Hoover as follows:

Most Gracious God, Thou who hast created life and possesses the power to take it away, we come to Thee in this memorial service with the realization that Thou alone hast the words of Eternal Life. As we pay tribute in this hour to those Members who have passed from this life

we pray that Thou wilt fill us with the knowledge that this life is not the end but that it is only the testing ground for a better and a greater life in the world that is to come. Speak to us, we humbly pray, with the assurance that these fellow-servants we honor this day have been called to nobler service in eternity. Likewise, be near and dear unto us who are still traveling this road of life. Inspire and lead us with the knowledge of Thy truth that serving Thee in this life we may also gain through Thy grace and the merits of Jesus Christ, Our Lord, a life of eternity with Thee. When the trumpet of the Lord shall sound and time shall be no more, and the morning breaks eternal, bright and fair; when the saved of earth shall gather over on the other shore, and the roll is called up yonder, may we be there. Amen.

The House Chorus, directed by Mr. Dengler, sang "Abide With Me."

The CHAIRMAN. With the words of the prayer, with its message of comfort, and the closing strains of that beautiful hymn, "Abide With Me," still lingering in our ears we proceed in paying our tribute of respect to those of our colleagues who have terminated their useful, honorable and distinguished Membership in the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, to serve in that General Assembly that recognizes no "this side of the aisle," no "that side of the aisle" which General Assembly is presided over by Him Whom we, in requesting recognition, address in this fashion: "Our Father, which art in Heaven," and in that understanding, that the departing of our colleagues is the entering in by them of a different assignment, one with a wider area for further useful, honorable and distinguished service, the Chair is of the unequivocal belief that the sadness of this hour is softened somewhat as we pause with the memories of those friendships and with the recollection of the many delightful associations passing before us, one after the other, as in intimate review.

The Chief Clerk will call that honored roll and response will be made by the Secretary of the House.

The CHIEF CLERK (Joseph Ominsky). Honorable Daniel Carson, County of Philadelphia.

The SECRETARY (Paul C. Moomaw). Absent.

The CHIEF CLERK. Honorable Granville Ennis Jones, County of Philadelphia.

The SECRETARY. Absent.

The CHIEF CLERK. Honorable Allen Moore Gibson, County of Warren.

The SECRETARY. Absent.

The CHIEF CLERK. Honorable John Rochambeau Haudenshield, County of Allegheny.

The SECRETARY. Absent.

The CHAIRMAN. And now, for such remarks as they may deem appropriate for the occasion, the Chair will recognize in turn those two gentlemen of this House whom our departed colleagues were delighted to called their Leaders.

The Chair recognizes the Majority Leader, the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, two years have passed and another Session of the General Assembly has been convened, on another date for another memorial service. Since the last was held in the Hall of the House, four of our comrades have passed to meet their Maker, four faces that we knew so well, from both sides of the aisle, that

we talked to so often. The friendships to which we were devoted and the friendships that we kindled can never be forgotten. To those four gentlemen who served with us as Members of this House we dedicate this memorial service.

That the services of the future shall some day pertain to us is a certainty. Each of us to whom God has given life must eventually realize that we must come to the end of the services to which we are devoted.

These four people, four Members of the House, have devoted their services to the Commonwealth and to the people of the districts which they represented. The ideals and goals that they sought and were seeking, the inspirations that were all for the betterment of mankind and the betterment of this Nation and this Commonwealth, others must continue to carry forth, with the inception and thought that the goal they were seeking is a goal we can never reach but for which we always keep trying. These four men, our brothers, who have passed on since our last memorial service, we shall never forget, as we have never forgotten the others who served before them.

We are confident as we pause here in this memorial service that they look down upon us today, and with their ideals and goals we shall look forward to carrying out the principles they believed in which makes this nation of ours so great.

The CHAIRMAN. The Chair recognizes the Minority Leader, the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Chairman, it is our purpose here today to pay tribute to the memory of our departed friends, men who have won our undying love and respect. As we look around this Hall we see the new faces that have replaced those who have gone before, we realize that others will come to take our place. As we ponder this ageless story, we realize, too, that it is the little things about these fine men that we remember most, the quick smile, the warm handclasp, the pat on the back, the flash of good humor, their kind words and deeds; the best things they did seem to pale in importance beside these. Perhaps the greatest tribute we can pay the these, our ageless friends, is to recognize this fact and strive to emulate these everlasting qualities. It is a privilege to have had such friends who knew the real values of life.

The CHAIRMAN. You have heard just a few moments ago the calling of the roll by the Chief Clerk, whence came the solemn response, absent. The Chair will again call that honored roll and in so doing will recognize gentlemen of the House for a further response.

The Chair calls the name of the Honorable Daniel Carson and recognizes the gentleman from Philadelphia, Mr. Austin Lee.

Mr. A. M. LEE. Mr. Chairman, I rise to pay a brief tribute to my friend and colleague from the city of Philadelphia, the Honorable Daniel Carson.

Daniel Carson was born in Philadelphia on May 16, 1905. He was the son of Dr. Alfred D. and Catherine L. Carson. He attended the Philadelphia public school system and was a member of the Republican City Committee from the 41st Ward in the city and county of Philadelphia. He belonged to a number of other civic and community organizations and served as a delegate to the Republican National Convention in San Francisco, California, in 1956.

He died an untimely death at the age of only 52 on

December 4, 1957, leaving a sister Josephine, with whom he made his home.

Representative Carson was elected to the House of Representatives in 1956 to represent the 24th District of the city of Philadelphia. The warmth and strength of his personality soon won him a host of friends among the membership of this House, without regard to political affiliation. He devoted himself to the representation of his district with fidelity and vigor. His greatest attribute was the unquenchable spirit with which he approached all things, problems of civic concern, issues large and small in the political arena, as well as matters of humanitarian concern in his own home community. Nothing confronting him was ever too big or too small to command his whole energy and enthusiasm. Daniel Carson's legislative service was short, but he leaves among us and among our former colleagues many who will long remember him as an able Member of this House, who served in its highest and finest tradition.

The CHAIRMAN. Calling the name, the Honorable Granville Ennis Jones, the Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Chairman, at this hour we pause in our deliberations to pay tribute to the memory of those of our colleagues who have gone to their eternal rest. Although we are inescapably moved to the emotion of sadness at this time of memorial because of our awareness that the passing of these distinguished men represents a grave and a profound loss to their families and dear ones and to this General Assembly and because of the void that surely must be left in the hearts of those who loved them, yet we do not assemble for this service to compound the sorrow that their departure has brought. Rather we seek to rekindle the light and the glow of memory so that we may better view and observe in our mind's eye the recollections, the esteem and the fond regard we have for these men whom God has called unto him.

We number among our losses the death of the Honorable Granville Ennis Jones who passed away on March 7, 1959. I have been honored by the request to participate in this service and to speak of Granville. I know full well that I might recite at length in unfolding the dedicated and purposeful life that was pursued by this distinguished gentleman, since he was not only a law-maker and a Member of this General Assembly for eleven years prior to his death and a political figure of importance in the city of Philadelphia, but also a highly prominent and successful professional man and a devotee of communal effort and activity.

However, I choose not to relate the chronology of his many accomplishments, the many honors accorded him or the many important events with which the life of this dedicated servant was replete. Rather, I choose to speak of a simple kindness that he extended to me when I was elected to this House. I remember Granville fondly and with warmth for the consideration he extended to me. I have since come to learn that kindness and consideration has marked and characterized his entire 58 years. It has been said that whoever is compassionate toward his fellowman will be visited with compassion from Heaven. Thus, although there falls heavily upon our hearts the solemn reply of "absent" upon the calling of his name on the roll, we take solace and comfort in the knowledge



that Granville E. Jones has answered "here" to God's summons and that he has been elevated to that celestial chamber.

Perhaps like most young men who enter this great Hall as a Member for the first time, I was awe stricken both by the beauty of this Chamber and the solemnity of the deliberations. The apprehension of embarking upon this new adventure in my life fell with great weight upon my shoulders. It was at this moment that a counseling, an instructive and a welcoming hand was most desired and needed. I dare venture the thought that most Members joining this august body as young men have experienced this self same anxiety as did I. The help and the assistance I looked and hoped for came graciously and unsolicited from Granville E. Jones, beside whom I had been seated. He pleasantly and willingly made available to me the experience that membership in this General Assembly had yielded to him. He was possessed of that excellent combination of a cool head and a warm heart and these too were laid at my desk to be availed of.

Insignificant as these kindnesses appear to be they were meaningful in my life. Perhaps that is why I always entertained the thought of this kind and humble man who enjoyed life so much that it was he who brought honor to the post he held and not the post that brought honor to him.

Now, God, in His infinite wisdom has so arranged matters that I can repay that self same act of kindness to his family. Granville's seat, which still neighbors mine, this day is occupied by his gracious wife. In bravely carrying on the tradition of devotion and dedication set by her husband, she is cast in the role of neophyte and I have tried to pass onto her the same kindnesses that were extended to me by her husband. I know that she takes heart not only in the legacy of fond and wonderful memories that she possesses of Granville, but likewise in the knowledge that her husband's good deeds remain forever and indelibly imprinted upon the hearts of those who had the privilege to know him.

The CHAIRMAN. And now continuing that honor call, the Chair recognizes the gentleman from Forest, Admiral Davis.

Mr. DAVIS. Mr. Chairman, not long ago there was a warmhearted, friendly man among us, and those who knew him well saw that, close to his open kindness, there lay a vein of firm character. They saw a code of honest idealism. It entered even into the commonplace decisions of his life—a life sadly ended when not so very far beyond the mid-stream of reasonable expectancy. Our late colleague, the Honorable Allen M. Gibson, was only sixty when he passed away last May twenty-fifth.

The end came within the daily sweep of the shadow of the Capitol dome, close to the less evident but nevertheless purposeful atmosphere of this historic chamber—near to a final setting so peculiarly fitting to the quality of the man.

It was fitting because these scenes directly suggest the kind of devoted service to the people of this Commonwealth which so characterized him. In fact, had his services been of less devoted substance, Mr. Gibson today well might have been with us in this very assemblage. But he carried on, in the face of impaired health, at a serious risk, a risk that, alas, proved fatal.

Descended from close and direct Scotch ancestry, Allen

Gibson grew to manhood amidst the final decades of the stirring and colorful days when Pennsylvania's great virgin forests were being harvested, the days when Pennsylvania's lumbering operations were running full blown.

The son of the superintendent of one of our thinly settled area's regional railroads, he knew at close hand the workings and the romance of large-scale lumbering. He lived in settlements, now ghost-town sites, today overgrown with thickets and second-growth, without vestiges of habitation. As a youth he knew something of the rigors, of the hard work, of the "six-to-six" working hours in the big woods of that earlier era.

And, naturally, he came to know of the crafts and ways of life within the great forest. Quite simply, there evolved a lifelong interest in out-of-doors' pursuits. All of his life, he was an enthusiastic hunter and fisherman. He maintained a camp far within the wooded depths of my own Forest County. Here, through the years, there foregathered during trout and deer seasons those with a kindered sportsman's zest for rod and gun. It was a coveted privilege to be a guest, and not a few who have frequented this chamber were so favored.

Against this background, after his death, a close friend wrote: "I of course remember him as you do, chopping firewood, climbing mountains, and so on . . ."

Therefore it is not surprising that young Gibson in his teens should have majored in forestry upon entering the Pennsylvania State University. And this early exposure to the arts of "woodmanship" came to the surface in his mature years in this General Assembly, marked by his interest in and occasional sponsorship of important legislation bearing upon questions of forestry, conservation, game and fishing.

But time in uniform during World War I, at the end of his second college year, interrupted the quest for a degree in the science of forestry. After a creditable military service, and after a look at wider horizons, this young man completed his final two years of college at the University of Pittsburgh, majoring in business administration.

Out of school, he joined his father who had just organized a local, independent telephone company, serving the general Sheffield locality. This venture, together with building up an independent oil-production, primarily occupied Mr. Gibson between the two World Wars. Also he had married, and a family of three promising sons and a beautiful daughter were growing toward maturity.

In time his interest turned toward government and toward politics. Following a term as county treasurer of Warren County, he came as a Member to this House of Representatives in 1944.

As a successful business man, which includes an additional and active interest in banking, Mr. Gibson has given to the deliberations of this chamber the counsel of one seasoned in economic insight and schooled in the practicalities of the actual and responsible conduct of business.

In the course of these legislative pursuits, his duties here in Harrisburg, as well as his local political affairs, increasingly came to encroach upon the time he needed for business administration. Several years ago he was confronted with the decision: should he withdraw from politico-legislative activities and give full time to business? The load had grown too heavy. No longer could he

physically attend to both. In the wake of much soul-searching, he decided to retire from active business and to devote his energies entirely to public service.

Accordingly, he disposed of his active business holdings. As a further change at this time, he most reluctantly assumed the responsibilities of Republican County Chairman of Warren County to meet the exigencies of a local situation.

Further, at about this time, Mr. Gibson took on the arduous, and certainly not all-too-rewarding task of serving as his party's Whip and assistant Floor Leader in this House, a demanding chore which he performed well and effectively.

And through his schedule-packed, often stress-ridden days—days that would be tagged "over-time" in the industrial world—Allen Gibson was never too busy to stop and listen with warmhearted understanding to the problems of individual Members. In his wisdom, in his rare sense of the practical, and from his long legislative experience, and from his usual balanced, clear-perspective, level-headed point of view, individuals personally received the same quality of counsel which Mr. Gibson unfailingly gave in caucus, and before the several top-policy groups of his Party.

His stature as a Legislator rested upon attributes of statesmanship, blended with keen political discernment.

To a marked degree, when with small groups, he possessed a peculiarly individualistic power of persuasion. He spoke quietly, often seemingly casual, but his presentations were informed and logical, stemming from reasoned conviction.

Finally, above all, there was his capacity for friendship—friendship that was deep and constant. In recognition of this dominant characteristic, if I may employ a personal note, I would like to quote, in conclusion, a passage from a country newspaper article I wrote following Mr. Gibson's death. This excerpt reads:

"Among the fine men I have known, during a life which has touched a wide range of places and encountered many individuals, Allen Gibson belongs high in the top echelons. To many others besides myself his passing will mean the end of a warm and superlatively treasured friendship."

The CHAIRMAN. And following the name of the Honorable Allen Moore Gibson as it appears on my list of honor, I find the name, the Honorable John Rochambeau Haudenshield.

The Chair recognizes the gentleman from Allegheny, Mr. Ewing.

Mr. EWING. Mr. Chairman, on behalf of the entire delegation from Allegheny County, I have the honor of saying a few words in memory of my good friend, John R. Haudenshield.

John Haudenshield served ten terms as a Member of this House of Representatives and was held in high esteem by all of us.

John had an enduring interest in Pennsylvania history and especially in the history of Western Pennsylvania. His own ancestors were among the pioneers of this section of the Commonwealth and many of them were notable leaders in the affairs of Western Pennsylvania. He liked nothing better than to talk to groups of school children at their assembly or in classes on history of Pennsylvania

about the great heritage of the state. He could hold their attention longer and more closely than many a teacher.

John's interest in historical matters led to his appointment as one of the Representatives of the House on the Pennsylvania Historical and Museum Commission on November 8, 1951, when the Act was passed authorizing representation ex-officio from the General Assembly on that body. He served until 1957. During that period he was one of the most active members of the Board.

John will be greatly missed by those who looked to him for help on historical matters as well as by those who listened to the historical information which he was ever ready to provide.

John Haudenshield was known far and wide as "Silver Dollar John," and he very seldom spent anything but silver dollars for approximately forty-five years. People that could not remember his name just said, "Silver Dollar John."

His interest in government was real and genuine, especially in the Welfare Department. Many a day and night he spent helping people. He was well known in banking and building and loan circles.

John was an active Member of the Presbyterian Church of Carnegie for many years.

In closing, may I say that we have lost an outstanding Member of the House and I personally have lost a very good friend. We traveled back and forth to Harrisburg for twenty years. I know him well and will miss him a great deal.

May I express the deep sympathy of the House to his family and to the people who loved him very much.

The CHAIRMAN. For the final response, the Chair collectively recognizes the gentlemen of the House Chorus under the leadership of the gentleman from Delaware. Dr. Dengler, and with the gracious lady at the piano.

The House Chorus, under the direction of Mr. Dengler, sang "Now the Day is Over."

The CHAIRMAN. As a further mark of respect to our beloved colleagues, the Members will rise and remain standing in silence, awaiting the fall of the gavel.

(The Members stood in silence)

The CHAIRMAN. Green is our memory of our colleagues of yesterdays. None knew them but to love them; none named them but to praise.

This concludes our memorial hour and the Chair will return the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## COMMITTEE DISCHARGED

The SPEAKER. The Select Committee on Memorials is discharged with the sincere thanks of the House.

## RECESS

The SPEAKER. Without objection, the Chair will declare a recess of five minutes.

The Chair hears none.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.



## RESOLUTIONS

## CONDOLENCE

Mr. RUDISILL, Mr. Speaker, resolutions of sympathy introduced at this session were reported to the House on Monday, August 31, by the Majority Leader from the Committee on Rules for former Members who died during the year 1959, Honorable Joseph G. Gallagher, County of Luzerne; Honorable Henry A. Male, County of Northampton; Honorable Charles D. Minehart, County of Franklin; Honorable Percy A. Patterson, County of Blair; Honorable Alexander S. Robertson, County of Clarion; Honorable William W. Serrill, County of Forest.

I move that these resolutions be adopted, made a part of this day's record, and that copies thereof be transmitted to the families of the deceased by the Chief Clerk.

The motion was agreed to.

## HONORABLE JOSEPH C. GALLAGHER

In the House of Representatives, May 5, 1959.

May 1, 1959, marked the death of Joseph C. Gallagher, a well-known labor leader and former member of the House of Representatives.

Mr. Gallagher, a native of Freeland, Pa. and the son of the late John F. and Mary (Brogan) Gallagher, passed away at the age of 56 following an illness of about three weeks.

Joseph C. Gallagher served as President and Chairman of the Mine Committee of Local Union No. 2477, UMW, at the Jeddo #5 operations of the Jeddo-Highland Coal company from 1928 to 1936, when he became an organizer for District No. 7 of the United Mine Workers of America. He served in that capacity until March, 1942, when he was commissioned as an International Representative of the organization. In performing his duties as an International Representative, Mr. Gallagher served the membership of the United Mine Workers of America in many sections of Pennsylvania, West Virginia, Kentucky, Tennessee and Maryland.

In 1940 Mr. Gallagher was elected to the Pennsylvania General Assembly, and ably served in that capacity for a two year term. In addition thereto he has served as a member of the Labor-management Advisory Committee of Pennsylvania since 1947.

The outstanding services which Joseph C. Gallagher has rendered in the furtherance of Labor and his fellow man will be remembered and enjoyed long after his passing. His unselfish endeavors will serve as a guide and inspiration for future leaders in the field of labor; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby extends to the widow, family and loved ones of Joseph C. Gallagher its sincere condolences upon his death, and be it further

Resolved, That a copy of this resolution be transmitted to his widow, Mary M. Gallagher.

## HONORABLE HENRY A. MALE

In the House of Representatives, April 21, 1959.

Henry A. Male, former State Representative and Pen Argyl businessman, died recently at his home at 11 Pennsylvania Avenue, Pen Argyl. He had been ill for a year.

A former Pen Argyl Burgess, Borough Secretary and Councilman, Mr. Male served in the House of Representatives from 1931 to 1937. He represented Northampton County's second district.

Widely known as a real estate and antique dealer, he was a familiar figure at auction sales throughout the Lehigh Valley. Thirty-five years ago, he founded Male's Furniture Store, Pen Argyl, which is presently operated by his sons, Charles and Maurice.

Educated in Pen Argyl Schools, he went to work at an early age in the slate quarries. At the age of twenty-seven, he went into business for himself.

He operated an ice business for four years before entering the furniture business. He was also a former Vice-President of Edelman's Slate Quarry.

Mr. Male's long years of business activity in his community and his leadership in civic affairs earned him the respect and esteem of his neighbors and fellow citizens. He has long been looked upon as a valuable member of the community who contributed much to civic affairs as well as having conducted his business affairs on an exemplary and high basis; therefore be it

Resolved, That each member of this House of Representatives extends his heartfelt sympathy to the family of the late Henry A. Male on their great loss at his recent death; and be it further

Resolved, That copies of this resolution be sent to each of Mr. Male's children: Charles Male, Pen Argyl; Maurice Male, Pen Argyl; Mrs. John Buzzard, Bangor; and Miss Pearl Male, Pen Argyl; and that a copy of this resolution be sent to his brother, Nicholas M. Male, Pen Argyl.

## HONORABLE CHARLES D. MINEHART

In the House of Representatives, August 25, 1959.

Mr. Charles D. Minehart, a former member of the House of Representatives, passed away Sunday, August 23, 1959, at the age of ninety.

A lifelong resident of Orrstown, in Franklin County, Mr. Minehart had been chairman of the Franklin County Democratic Committee since 1954. Mr. Minehart has been referred to as "the man who put the fighting spirit into the Democratic party in Franklin County," as it was his inspired leadership which advanced the party in that county to its present high point.

Prior to his retirement in 1954, Mr. Minehart was for many years engaged in the grain and lumber business. He served as president of the Centennial Mutual Fire Insurance Company and was vice-president of the Orrstown Bank, and was a member of numerous civic and fraternal organizations. In addition to his business interests, however, he was always interested in politics and in 1923 he was elected for a two-year term as Franklin County's representative in the General Assembly.

The death of Charles D. Minehart is indeed a great loss to Franklin County; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby pays tribute to Mr. Minehart for his outstanding contributions to his community and extends its sympathy to his survivors upon his death; and be it further

Resolved, That copies of this resolution be transmitted to his daughter, Mrs. Ralph Rangle, Royal Oak, Michigan, his son, John B. Minehart, Chambersburg, R. D. 1, Pennsylvania, and to his older brother the Honorable Harvey Z. Minehart, St. Thomas, Pennsylvania, who was also a member of the House of Representatives during the 1907-08 session.

## HONORABLE PERCY A. PATTERSON

In the House of Representatives, April 21, 1959.

Percy A. Patterson, a former member of the General Assembly from the first district of Blair County passed away unexpectedly at his home in Altoona on Sunday, April 19. For P. A. Patterson it was the end of a long and active life in which he was prominent in county and State business and political affairs.

Mr. Patterson was born on October 2, 1878 in Clearfield, and he completed his education at Duff's College in Pittsburgh. Shortly after his graduation he became active in the Republican party, and this active interest led to his election to the House of Representatives in 1932. In 1935 he was appointed State inheritance tax appraiser for Blair County and in 1938 his long and effective political organization efforts were recognized when the Republican committee of Blair County elected him chairman, a position he held until his retirement in 1956.

Percy Patterson was also very active in community and civic projects as is evidenced by the numerous organizations in which he held membership. Among the many



were the Elks, the Kiwanis and the Chamber of Commerce.

Mrs. Patterson and two of three sons predeceased Mr. Patterson, but he left to survive him a son, niece, three grandchildren and a sister who deeply mourn his passing; therefore be it

Resolved, That the House of Representatives extend its profound sympathy to those who survive Mr. Percy A. Patterson; and be it further

Resolved, That a copy of this resolution be forwarded by the chief clerk to his son, Mr. Richard A. Patterson at 3415 Papar Mill Rd., Huntington Valley, Pennsylvania, and to his niece with whom he resided at 2612 W. Chestnut Street, Altoona, Pennsylvania.

#### HONORABLE ALEXANDER H. ROBERTSON

In the House of Representatives, May 4, 1959.

On August 16, 1958, Alexander S. Robertson passed away. Mr. Robertson served in 1939-1940 as a member of this House of Representatives. He was born in Foxburg in 1894, and resided in Clarion County all of his life. A machinist by trade and owner of a garage, Mr. Robertson served his friends and neighbors in Clarion County during his active life in many capacities—he was President of the Foxburg Borough Council from 1930 to 1938, a member and past president of the Foxburg Community Club, member of the Clarion County Bucktails, and actively interested in the affairs of the American Legion, serving as Commander of his post, County Commander and Deputy District Commander, Mr. Robertson enlisted in the Navy in 1917, and until after the Armistice, served on sea duty on destroyers and submarines. Mr. Robertson's active life, marked with many civic and social contributions, both to his county and community, and to the people of this Commonwealth, came to an end last summer at the age of sixty-four. He was survived by his wife, Mrs. Josephine Bash Robertson, and five children: James of Toledo, Ohio; Alexander, Syracuse, New York; Mrs. Jeanne Thomas, Waterloo, Iowa; Mrs. Sarah Johnston, Coraopolis, Pennsylvania, and Mrs. Barbara Davenport, Iowa City, Iowa. With the passing of Mr. Alexander S. Robertson, we have lost a fine friend and citizen of this Commonwealth; therefore, be it

Resolved, That the members of this House of Representatives express their sincere sympathy to the surviving members of the family of Alexander S. Robertson; and be it further

Resolved, That a copy of this resolution be transmitted to his widow at her home in Foxburg, Pennsylvania.

#### HONORABLE WILLIAM W. SERRILL

In the House of Representatives, February 25, 1959.

The recent death of Dr. William W. Serrill, a former Member of the House of Representatives, who so capably represented Forest County from 1936 through 1947, is a heartfelt loss to all of us who served with him.

As a practicing physician in Endeavor, Pennsylvania, Dr. Serrill earned the admiration and respect of all of those with whom he came in contact.

Dr. Serrill's public spirited activities and his long service to government marked him as an exemplary citizen, whose memory will long be cherished by those who knew him and benefited from his association.

His passing was indeed a great loss to the Commonwealth and to the community which he served so well; therefore be it

Resolved, That the members of the House of Representatives extend their sincere sympathies to his widow, Mrs. William W. Serrill; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. William W. Serrill, Endeavor, Pennsylvania.

#### RESOLUTION

#### PROCEEDINGS OF MEMORIAL SERVICES TO BE PRINTED

Mr. WOOD asked and obtained unanimous consent

to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 1, 1959.

Resolved, That the Chief Clerk be and is hereby directed to have printed in booklet form the proceedings of the Services in memory of our deceased Members held in the Hall of the House of Representatives September 1, 1959, and that a copy be sent to each Member and to the families of the deceased.

#### DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, I would like to request a recess for the purpose of lunch and caucuses. I would request one hour and thirty minutes; lunch first, thirty minutes, one hour caucus. All Members please bring their calendars with them to the new House Caucus Room.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to join in that request. Lunch the first half-hour on the Republican side, and then we will caucus for one hour. Please bring your calendars to the Republican Caucus also.

#### RECESS

The SPEAKER. In accordance with the desires of the respective Floor Leaders, the Chair now declares a recess of one hour and a half.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WALSH asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

#### REPORTS FROM COMMITTEE

Mr. McCORMACK from the Committee on State Government, reported as amended, House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

Mr. McCORMACK from the Committee on State Government, reported as amended, House Bill No. 2096, entitled:

An Act relating to water well drillers; \* \* \* ; providing for the revocation or suspension of licenses and prescribing unlawful acts and penalties.

Mr. A. J. MURPHY from the Committee on Agriculture and Dairy Industries, reported as amended, House Bill No. 2302, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating cash sales of milk on farms.

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 1294, entitled:

An Act providing that public employes of the Common-



wealth of Pennsylvania or any political subdivision thereof, in the absence of statutory law to the contrary, shall not be forbidden by any superior officer to exercise the privilege of participating or engaging in political activities.

Mr. McCORMACK from the Committee on State Government, reported as committed, House Bill No. 2158, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), by including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 2314, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission; removing certain limitations with respect to moneys in the Historical Preservation Fund, and crediting certain moneys collected by the commission to such fund.

Mr. RENWICK from the Committee on State Government, reported as committed House Bill No. 2317, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell 59.514 acres, more or less, of land situate in West Chillisquaque Township, Northumberland County.

Mr. RIGBY from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476), entitled, as amended, "An Act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemption of certain military or naval discharges and certificates of service.

Mr. CAPANO from the Committee on Ways and Means, reported as committed, House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer, \*\*\* and making other technical changes therein.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 732, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any defects unless proceedings to attach such sales are brought within a prescribed period.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. John J. Finnerty.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. I. Dana Kahle.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. Harry Paul Kitchen.

Mr. McCANN from the Committee on Rules, reported as amended, House Resolution (Not Printed) Re: Hon. G. Robert Thompson.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution (Not Printed) Re: Hon. John J. Marcks.

## BILL RE-REFERRED

Mr. SCHATZ from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Appropriation, House Bill No. 537, entitled:

An Act amending the "State Employees' Retirement Law," approved June 27, 1923 (P. L. 858), providing for a minimum retirement allowance after twenty-five years' service and voluntary retirement.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1294, entitled:

An Act providing that public employees of the Commonwealth of Pennsylvania or any political subdivision thereof, in the absence of statutory law to the contrary, shall not be forbidden by any superior officer to exercise the privilege of participating or engaging in political activities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2158, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), by including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2314, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission; removing certain limitations with respect to moneys in the Historical Preservation Fund, and crediting certain moneys collected by the commission to such fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2317, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell 59.514 acres, more or less, of land situate in West Chillisquaque Township, Northumberland County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476),

entitled, as amended, "An Act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer, \* \* \*, and making other technical changes therein.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 732, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any defects unless proceedings to attach such sales are brought within a prescribed period.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## RESOLUTIONS

### CONDOLENCE

The SPEAKER. The Chair lays before the House the following resolutions reported from the Committee on Rules.

The resolutions were read, considered and adopted as follows:

#### HONORABLE JOHN J. FINNERTY

In the House of Representatives, January 28, 1959.

On November 25, 1958, John J. Finnerty died in the Misericordia Hospital, Philadelphia. He was a member of this House from 1934 to 1946, and continued his public service as United States District Court Crier in Philadelphia.

Representative Finnerty was born in Philadelphia on May 14, 1879, the son of Thomas and Margaret Cavanaugh Finnerty.

Educated in Philadelphia, he practiced barbering until his retirement eight years ago. A life long Democrat, his untiring efforts were devoted to serving the people in his community where he was especially active as a layman in the affairs of the Roman Catholic Church. He was interested in social work, secretary National League of Barbers and for many years directed amateur theatricals throughout the State.

John J. Finnerty's public spirited activities and long devoted service to the people of Philadelphia and the Democratic party, exemplified a citizen and friend whose memory will long be cherished by all those who had the privilege of knowing him; therefore, be it

Resolved, That the members of this House give praise to his work, take note of the great honor he earned in life and extend their personal sympathy to his loved ones upon their recent loss and bereavement.

Resolved, That a copy of this resolution be forwarded to his daughters.

#### HONORABLE I. DANA KAHLE

In the House of Representatives, March 9, 1959.

The start of a new year brought to the end the life of the dean of Clarion County's practicing physicians, Dr. I. Dana Kahle of Knox. During his fifty-five years of practice, when ended on January 1, 1959, Dr. Kahle delivered more than six thousand babies. Throughout his eighty-three year life time he had an interest in politics and was a prominent and active member of the Democratic Party.

Dr. Kahle was born in Clarion County on August 8, 1875 and after graduating from Clarion State Teachers College he began teaching in the public schools at the age of eighteen. The doctor received his license to practice medicine in Pennsylvania in 1905 and did so until his death.

In 1926 the well-known physician was elected to the General Assembly as a Representative. He was reelected in 1928 and 1930. In 1934 he was elected to represent his area as a Senator. In 1939 he was a delegate to the Democratic National Convention in Chicago. Dr. Kahle continued his interest and activity in politics up to the time of his death.

Clarion County and indeed the entire northwest section of the State deeply regrets the passing of Dr. Kahle for he was a man who worked hard in his field and contributed much to the welfare and advancement of thousands of people; therefore be it

Resolved, That the House of Representatives extends its deepest sympathy and sincere condolences to his children who survive him; and be it further

Resolved, That a copy of this resolution be sent to his son, Dr. Standish C. Kahle of Greenville and Mrs. L. T. Sheffer of Knox.

#### HONORABLE HARRY PAUL KITCHEN

In the House of Representatives, March 16, 1959.

Harry Paul Kitchen, a former member of this House of Representatives, died on March 11, 1959 at the age of 65 in the Easton hospital.

A native of Easton, he was a professional entertainer on the team of the well known Jimmie Applegate for many years.

Mr. Kitchen, a Republican was elected as the representative from Northampton County's Second district in 1940, serving in the 1941-42 session.

Later Mr. Kitchen was appointed court crier by the late Judge William A. Frack and upon the death of Judge Frack, was retained as court tipstaff by Judge Clinton B. Palmer.

Harry Paul Kitchen is survived by his wife Elizabeth F. Kitchen and a son, William, therefore be it

Resolved, That a copy of this resolution be sent to his wife, Elizabeth F. Kitchen, 131 Spring Garden Street, Easton, Pennsylvania, in remembrance of his public service and as a token of sympathy from the members of the House of Representatives.

#### HONORABLE G. ROBERT THOMPSON

In the House of Representatives, January 19, 1959.

The death of G. Robert Thompson, a former member of this House of Representatives, on January 10, 1959 marked the end of a long varied career.

Mr. Thompson, a life-long resident of Adams County was a business man by occupation. He was a director of the Gettysburg National Bank for thirty-eight years. Not only was he vice president of the Gettysburg Building and Loan Association but also, with a son, operated Thompson's Warehouse in Gettysburg, Pennsylvania. He was engaged in numerous other business ventures in the county, which included farming for a number of years.

Mr. Thompson's public service, spanning nearly four decades, began in 1912 as Sheriff of Adams County. He later served as Republican County Chairman during the Pinchot Campaign and Administration. It was during his term as county chairman that the Republicans overcame what had been a long-time Democratic lead in registration in Adams County. Mr. Thompson was a



member of the House of Representatives in 1939 and 1940. Mr. Thompson's public spirit and private achievement marked him as an exemplary citizen whose memory will long be cherished by those who knew him and benefited from his association; therefore be it

Resolved, That the members of the House of Representatives extend their sympathies to his wife and children in their hour of loss and bereavement; and be it further

Resolved, That copies of this resolution be sent to his widow, Mrs. G. Robert Thompson, Carlisle Street Gettysburg; to his son, Robert Thompson, Aspers; and to his two daughters, Mrs. Margaret Deatrick, Gettysburg, R. D. 4 and Mrs. Blanche Bowers, Gettysburg, R. D. 5 and to children of Earl Thompson deceased son of G. Robert Thompson.

#### HONORABLE JOHN J. MARCKS

In the House of Representatives, March 3, 1959.

On Wednesday, February 25, 1959, one of the former members of the House of Representatives passed away and thereby ended a long life of service to his friends, his neighbors and his community. The death of the Honorable John J. Marcks, deprived a very considerable segment of our population—that of the farm and cross-roads village—of a man who was one of their most articulate representatives in recent years.

Mr. Marcks was born in Upper Macungie Township, Lehigh County seventy-seven years ago. He attended the local schools in the area and was graduated from Muhlenburg College in 1905. On the advent of his fiftieth reunion at Muhlenburg, the college honored him with a golden key in recognition of his dedication to humanity. He was a teacher for fifteen years in Lehigh County and in 1914 he was elected master of the Trexlertown Grange, a position he held for twenty-seven years. Marcks wanted to become a minister but because of poor health, his dream never became a reality; however, he decided to follow the minister's path—that of service to his fellow man. He gave unselfishly of his time and energy to his church. The latter years of his life he was a tipstaff and attendant for the Lehigh County Court.

Marcks and his wife, a devoted couple, celebrated their golden wedding anniversary on December 24, 1958 with a family dinner attended by their church and Grange friends.

Working through the church and the Grange, John Marcks never permitted it to be forgotten that our rural population was faced with its own distinctive social and economic problems and deserved consideration for them. Thus he became an honored and respected spokesman for the people of the soil. The people of his district sent him to the General Assembly to represent them in 1931 and 1933 and like all other activities in which he engaged, he filled his position faithfully and well.

Mr. Marcks' death will be mourned by his family and his friends as well as the members of the House; therefore be it

Resolved, That the House of Representatives extend its deepest sympathy to Lizzie Q. Marcks, his widow, upon the passing of her devoted and loving husband, John J. Marcks who really knew and appreciated the satisfaction he derived from service rendered; and be it further

Resolved, That a copy of this resolution be sent to his widow in Wescosville, Allentown R. D. and the Lehigh County Court where he so faithfully served for the last ten years of his life.

#### PERMISSION TO ADDRESS HOUSE

Mr. LAMB asked and obtained unanimous consent to address the House.

Mr. Speaker, I had desired to make these remarks last week because I had read in the papers that the members, or some of the members, of the Pennsylvania Turnpike Commission and some of the representatives of the trucking and bus firms were meeting with the general idea of

developing some better safety regulations on the Pennsylvania Turnpike.

As a Member of the Legislature from Allegheny County, along with many other Members of the House from the western part of the state, we have very many opportunities to observe safety violations on the Turnpike, going back and forth twice a week. We have many times observed things that we sometimes shudder about. The most flagrant violation that I have observed, and I know this is true for quite a few of the Members, is on a stretch of the Turnpike known as the "seven-mile hill."

This stretch of the Turnpike runs generally from Midway up to the Allegheny Mountain. As the term indicates, seven-mile hill is strictly upgrade and the whole seven miles is replete with extreme curves. We have observed very many times trucks going up this hill with reckless abandon, passing each other with no consideration whatsoever of the automobile driver who is attempting to pass.

Just two weeks ago I was riding back with Mr. Clark, Mr. Foerster, and Mr. Irvis, and as we proceeded to pass a truck it pulled out on us and, only through the ability, skill and the alertness of Mr. Clark, did we avoid what I think would have been a most serious accident. This has happened to me on at least four occasions and I, myself, now approach this section with fear. In fact, I tremble until I get through the Allegheny Tunnel.

Mr. Murray from Allegheny drove me out a few weeks ago when he was going back. Two trucks were attempting to pass on this stretch. Neither would give ground, and the traffic was tied up for at least five miles, some hundreds of automobiles. This is a situation, as I say, we observed quite frequently going back. I think if the Commission and the truckers are interested in improving safety on the Turnpike this certainly is one spot where they might start.

There is one sign in this section. As I recall, it is now weatherbeaten and I am sure that in the night you cannot see it. It says, "Trucks Do Not Pass Until Through Tunnel." Yet I think this sign is observed more in its breach than in its observance.

I feel if the Turnpike Commission and the State Police would post bigger and better signs all along this route and possibly indicate thereon that there will be a severe penalty for passing at this spot, they can make a long stride in turnpike safety.

I hope that possibly these remarks will be accepted by the House and that they will in some way be disseminated to the Turnpike and to the State Police to let them know that we, as Legislators, observe this and we are quite concerned.

I have one final thing to say, Mr. Speaker, and it is very hard for me to say it. That is this, I honestly feel that if something is not done at this spot in subsequent sessions, when we are holding a Memorial Service, some of the Members from the western part of the state will be absent.

#### PERMISSION TO ADDRESS HOUSE

Mr. MAXWELL asked and obtained unanimous consent to address the House.

Mr. Speaker and Members of the House, I would like to agree with Mr. Lamb and also to inform him that very early in this Session Mr. Sakulsky, Mr. Mills and I

sponsored a bill to correct this very condition of which he spoke. I would suggest that the committee that has this bill look it over, and, if possible, report it out on the floor of this House.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. MIHM asked and obtained permission for the Committee on Cities—Counties, Second and Second Class A to meet during the session of the House.

### GRADUATES OF POLITICAL ACTION COURSE WELCOMED

The SPEAKER. The Chair has been informed that there is present in the Hall of the House a group of graduates of the Political Action Course sponsored by the Chamber of Commerce of Pittsburgh. The delegation is the guest of the Democratic and Republican Members of the House from Allegheny County.

Gentlemen of the House, there are your successors.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. ASHTON for remainder of week.

Mr. Tompkins for Mr. LIGHT for remainder of week.

Mr. Tompkins for Mr. JUMP for remainder of week because of death in family.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. DOUGHERTY asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

### BILLS INTRODUCED AND REFERRED

By Messrs. ISSACS, McCANN, GALLAGHER,  
A. M. LEE and POLASKI HOUSE BILL No. 2354

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing the basic account standard reimbursement fraction to include non-public school pupils in computing a district's unit valuation.

Referred to the Committee on Rules.

By Mr. YETTER HOUSE BILL No. 2355.

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," further extending its provisions.

Referred to the Committee on Counties.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 297.

An Act repealing section 650 act of June 24, 1939 (P. L.

872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

Referred to the Committee on Judiciary.

SENATE BILL No. 573.

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employes from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts

Referred to the Committee on Insurance.

SENATE BILL No. 1033.

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "State Tax Equalization Board Law" increasing and staggering the terms of members of the State Tax Equalization Board and providing for minority representation thereon

Referred to the Committee on Rules.

SENATE BILL No. 1038.

An Act amending the act of June 22, 1937 (P. L. 1987) entitled as amended "Sanitary Water Law" permitting certain municipalities to discharge sewage in certain water.

Referred to the Committee on Rules.

### SENATE MESSAGE

#### SENATE RECEDES FROM AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has receded from its amendments, non-concurred in by the House of Representatives, to House Bill No. 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein . . ." authorizing the repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 762.

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein . . ." authorizing the repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

With the information that the Senate has passed the same without amendment.



## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 36.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" further regulating the investment of borough funds.

## SENATE BILL No. 553.

An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels on the Turnpike between the Irwin and Middlesex interchanges.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILLS Nos. 875, 876 and 1360

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 1, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 875, Printer's No. 892, entitled "An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended 'An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise stock equipment and accessories necessary to operate vending or refreshment stands or other suitable business enterprises in location leased or arranged for by said council providing for the payment for the lease of such equipment and accessories and for repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and accept Federal funds' further regulating leases made to blind persons extending the authority of the State Council for the Blind to engage in business enterprises amending the rate of repayment of such advancements increasing the revolving fund and permitting the transfer to the revolving fund of moneys heretofore collected from the licensing of vending machines in State buildings."

DAVID L. LAWRENCE.

September 1, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 876, Printer's No. 838, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' further regulating relations between the State Council for the Blind and organizations for the blind."

DAVID L. LAWRENCE.

September 1, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1360, Printer's No. 630, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' giving powers to and imposing duties on the Department of

Health in connection with rehabilitation of persons with hearing or speech defects."

DAVID L. LAWRENCE.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1335, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the powers and duties of the Department of Agriculture.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2232, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views prohibiting the exhibition of those found to be obscene and fixing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2233, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views prohibiting the exhibition of those found to be obscene providing special proceedings and fixing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employees under Shipping Articles."

The first section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendments:

Amend Sec. 1, page 2, line 7, by striking out "(P. L. 396)" and inserting "(P. L. 1397)."

Amend Sec. 1 (Sec. 4), page 4, line 3, by inserting after "greater" "Such partial benefit credit if not a multiple of one dollar (\$1) shall be computed to the next higher multiple of one dollar (\$1)."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendments:

Amend Sec. 2, page 7, lines 3 and 4, by striking out "as added by the Act of June 10, 1947 (P. L. 498)" and inserting "as last amended May 26, 1949 (P. L. 1854)."

Amend Sec. 2 (Sec. 301), page 8, line 7, by striking out "employees" and inserting "employers."

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendments:

Amend Sec. 3 (Sec. 301.1), page 21, line 5, by inserting after "1" "or."

Amend Sec. 3 (Sec. 301.1), page 24, line 9, by striking out "factor" where it appears the second time and inserting "Factor."

Amend Sec. 3 (Sec. 301.1), page 24, line 19, by striking out "read" and inserting "recorded."

They were agreed to.

The section was agreed to as amended.

The fourth to sixth sections inclusive were separately read and agreed to.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendment:

Amend Sec. 7, page 29, line 11, by striking out "May 29, 1945 (P. L. 1145)" and inserting "September 29, 1951 (P. L. 1580)."

Amend Sec. 7 (Sec. 401), page 30, line 1, by striking out the bracket before "(a)".

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendment:

Amend Sec. 8 (Sec. 402), page 34, line 3, by inserting after "his" "or her."

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendment:

Amend Sec. 9, page 34, lines 6 and 7, by striking out "as added by the act of May 29, 1945 (P. L. 1145)" and inserting "amended May 23, 1949 (P. L. 1738)."

It was agreed to.

The Section was agreed to as amended.

The tenth and eleventh sections were separately read and agreed to.

The twelfth section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendment:

Amend Sec. 12, page 41, lines 1, 2 and 3, by striking out "The provisions of Section 10 (Section 402 (h)) of this" in line 1, all of line 2 and "first day of" in line 3 and inserting "The amendments to section 401 (a), section 402 (h) and section 404 shall take effect."

Amend Sec. 12, page 41, line 3, by inserting after "January" "one."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 373, entitled:

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GAILEY offered the following amendment:

Amend Sec. 1 (Sec. 925), page 2, line 13 by inserting after "Harrisburg" "except that no appeal may be taken from any decision of a county board of school directors disapproving the selection of a school site or refusing to amend a county-wide plan for the merger of school districts or parts of school districts or for the reorganization of attendance areas or administrative units, or any matter corollary to that upon which the decision was rendered if such county board of school directors has previously rendered an adverse decision thereon."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.



## BILLS ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2218 on page 4 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stroupe,
Capano,	Holt,	Munley,	Taylor,
Capitolo,	Horst,	Murphy, A. J., Jr.	Tompkins,
Clanfrani,	Irvis,	Murphy, P. J.,	Truslo,
Cioffi,	Isaacs,	Murray, H. P.,	Ujobal,
Clarke,	Jenkins,	Murray, J. J.,	Varallo,
Comer,	Jim,	Musto,	Varnier,
Crossin,	Johnson, A. W.,	Naugle,	Verona,
Curwood,	Johnson, R.,	Needham,	Wall,
Davis,	Jones, F. R.,	Nelson,	Walsh,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wargo,
Dennis,	Kamyk,	O'Donnell, J. P.,	Weldner,
Dennison,	Kee,	Odorisio,	Welsh,
Devlin,	Kelser,	Ogilvie,	Wescott,
Donahue,	Kernaghan,	O'Neill,	Wheeler,
Donaldson,	Kessler,	Parlante,	Whittaker,
Dougherty,	Kooker,	Pashley,	Williams, A. D., Jr.,
Down,	Kornick,	Perry, H. H.,	Williams, E. S.,
Edwards,	Korns,	Perry, P. E.,	Willard,
Ellberg,	Kovolenko,	Petrosky,	Willaredt,
Eshback,	Kubitsky,	Polaski,	Wilt,
Eshleman,	Lamb,	Polen,	Wood,
Ewing,	Lee, A. M.,	Prendergast,	Worley,
Farabaugh,	Lee, K. B.,	Price,	Wynd,
Fetterolf,	Leonard,	Pursley,	Yatron,
Filo,	Limper,	Reibman,	Yetter,
Fineman,	Lippincott,	Reidenbach,	Zimmerman,
Floyd,	Lopresti,	Renwick,	Andrews,
Flynn,	Luigard,	Rigby,	Speaker
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one article nine of the constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporation from requirement of uniformity.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, it has been interesting to follow the history of House Bill No. 263 as it has zigged and zagged down its rocky road to final passage. It has been very amusing to all of us; I suppose it probably should not be so for a bill as important as this one. However, I would like to discuss the bill from its many, many different angles as I see it.

When the bill first came up here several weeks ago we did not take much of a stand on it, and it was because of a wish of Members of our caucus to go ahead and vote for a referendum, they really would not be voting for a graduated income tax. However, in my travels throughout the state in the last two or three weeks I found there was widespread indignation, particularly among Republicans, for the vote that was given to that bill when it was here in the House. Therefore I feel that I should have something to say with respect to this bill so that we will keep the records straight.

It became almost universally reported throughout the state that in the wake of our having passed a four percent sales tax we were also passing a six percent graduated income tax. I must point out that that was not true. The Members here were actually voting on a referendum.

We have an entirely different bill in front of us which has a very novel clause in it with respect to a limitation on the type of taxes that can be imposed at the same time. That is something new in the field of taxation. I grant you that that amendment was offered from this side of the House, and nobody thought that anybody would ever buy such an idea, but needless to say it was bought and it is now languishing in the bill. I personally think it is not a good idea to ever tie the hands of government in the very vital, necessary role of putting on taxes to run the needs of the people in our government. I think it is a very, very bad legislative practice to do that very thing. I think the bill in the present form is something that will certainly throw consternation into polling booths throughout the Commonwealth if that bill ever gets in front of the people.

On the floor here I believe the Majority Leader said—you would have to have one tax or the other, and planned to do away with the present sales tax. This present question, if it appears on the ballot would, as I have stated, create bewilderment and consternation in the people as to the meaning of the amendment, as to its ramifications and its impact on our financial structure. As I see it, it is a reckless determination to achieve a political position regardless of the obvious consequences, and before I sit down I want to talk to you about what I figure are the obvious consequences of this amendment if it were ever drafted by the people.

How about your plans to do away with the sales tax if this graduated income tax amendment passes? As you know, our sales tax is presently earmarked for education.

The budget for education for the Department of Public Instruction is \$916 million this biennium. It has been going up about \$150 million each biennium, so by 1963 if this amendment were to become law and you put on a graduated income tax, you would have to raise about \$1.2 billion to match what a sales tax would be bringing in supposedly, at that time in order to meet the education bills. In other words, you would have to supply \$1.2 billion by means of a graduated income tax. Now, here is what the problem would be. If you take the present Pennsylvania taxable income, it is \$21 billion per year. If you put a three percent flat income tax on that for the biennium that would bring in \$1.260 billion, that would be three percent across the board. Now, suppose you decided we would graduate it, and you gave a \$2,500 exemption per tax return—and the reason I say that is that the only figure we have available is the number of tax returns filed—this \$21 billion would boil down to \$12.2 billion on which to put your tax. In order to raise, then, \$1.260 billion, the income tax would have to be five percent, and that \$2,500 exemption per tax return would not eliminate very many taxpayers. In other words you would have an income tax of five percent by 1963.

Now what are the other pitfalls in eliminating the sales tax? One thing is, business would be getting a big break. I believe a month or so ago I gave figures on the floor here that business was paying about 32.7 percent of the sales tax; I believe Mr. McCann says about 25 percent. But, be that as it may, business would be paying about \$350 million of the sales tax money by the time this amendment would go into effect, and inasmuch as a graduated income tax, according to this amendment, would be paid entirely by the people, that means that business would get a \$350 million tax break if you said we will not have a sales tax but we will only have a graduated income tax.

Here is another thing that we would face. If you had this amendment and you had a colossal depression again, and God help us that we do not have such a thing, but if you did have, and the incomes of individuals went down to the dwarf size of the present taxable income, then this income tax measure with the six percent limitation on it just simply could not bring in enough money to do the job that it was supposed to do, and under the amendments you would have no alternative but to repeal the income tax and reinstate the sales tax.

That is the reason I say that that amendment in the bill certainly has created a pretty peculiar instrument to present to the people.

Here is another thing I have run into in going around the state. A prominent Democrat, by the way, came up to me and said, by the way, you fellows are not going to pass that graduated income tax, are you? I said, well it did pass as a referendum. Well, he said, I am engaged in bringing in new business to my county, and the first thing that new business coming into the state asks is do you have a graduated income tax in your state? and we say no, we of course do not. He said that big businesses in bringing in large numbers of executives, skilled personnel and people of that type, and other workers, do not want to put on these people the burden of a graduated income tax and also the withholding and all the nuisance it would imply to these firms coming into the state.

I think we have done a pretty good job in giving this state a pretty favorable business climate.

I might parenthetically say that when Representative

Sweeney from Ohio spoke here the other day, he rather proudly said, and we tripled the franchise tax on corporations in Ohio this Session of the Legislature. Right in my own county I have seen prospective businesses not come to our county but go to Ohio because in Ohio they only gave corporations a slap on the wrist. Now apparently they are giving them a punch in the jaw there. It is going to mean that business is going to stay in Pennsylvania and locate here. If we put on a graduated income tax that will be a big deterrent to new business coming into Pennsylvania.

What is the history of the graduated income tax? In 1913 the amendment was voted down 203, 976 to 204, 095; in 1937 it was 706,000 to 971,000; and in 1953, as you know, when we asked the people to just give us consent to call a Constitutional Convention, it lost 682,000 to 533,000. I do not believe the people want a graduated income tax. I do not think the average worker today, who is getting \$3.10 a hour and whose wife might work in the school cafeteria or in an insurance office which would greatly enhance, as it does in hundreds of cases, the family income, that couple in the quiet polling booth and the secrecy of that polling booth is not going to pull that lever and put a graduated income tax around their necks. I think that putting it up to a vote now, therefore, is a futile gesture.

Another reason why we are opposed to the graduated income tax—and by the way our Republican platform says we are unalterably opposed to an income tax—is that over one-half of the citizens of the state are paying a local wage tax now in addition to the graduated federal tax. In Pennsylvania we have left the sales tax field to the state and the income tax field to the local subdivisions. Of course in New York State it is exactly the opposite. If we were to put on a graduated income tax we would have a local income tax, a state graduated tax, as well as a federal graduated income tax. I doubt if the people want to put that around their necks. You might say this is only a referendum, therefore, your remarks are not on, shall it be a referendum?

The reason we are against a referendum is that it implies we support a graduated income tax. There is a strong implication there, even consenting to have it put on the ballot. Another thing, as I said, it is a futile gesture for reasons that have been given and in view of the past history of it, we are opposed to putting it on the ballot because we do not want to be a party to even making it possible to have it in Pennsylvania.

By way of summary, the reason I personally am going to vote against this, and I am sure quite a number on our side are, is that there is statewide resentment over the previous passage of the bill; a graduated income tax would be a new business deterrent and cloud our present good business climate; eliminating the sales tax would place the burden of education support entirely upon individuals; a graduated income tax under this amendment would appear more burdensome than the sales tax, and the graduated income tax has always failed and would be a futile gesture.

I believe that pretty well summarizes our position on this and I am asking the Members on this side of the House to vote down the amendments.

Mr. McCORMACK. Mr. Speaker, I listened with great interest to the remarks of the Minority Leader and I



would like to state my views in opposition to those remarks.

Most everything there is to say about this type of tax has already been said, it is true, but in the course of this resolution it has been amended and re-amended for the purpose of presenting a clear-cut issue, an issue as to whether or not the people should be entitled to say what type of tax they would rather pay. I believe the bill is in good form at the present time. All of the technical objections with the possible exception of one have been raised and clarified, so that we now have the resolution ready for final passage.

It seems to me particularly apropos that we should be voting on a tax measure or a referendum measure at this particular time. The reason I say that is this, it seems to me fundamentally unfair and unjust, in light of the fact that the great steel workers' union is presently on strike plus the fact that we have thousands and thousands of people on public assistance rolls in Pennsylvania, when we consider that those very people are called upon today to spend the money which they are not earning to support state government.

It seems to me that nobody can rightfully complain, and that has been demonstrated by the graduated income tax in our Federal system, about paying a tax based upon their ability. If a person is earning income I do not think he will complain about paying a fair portion of the tax necessary to run this great Commonwealth, but I think they do have a basis for complaint when they tell us that they are required to pay pennies upon pennies that mount into dollars and dollars when they have no income. They are living on state relief. They are receiving surplus food from the Federal government and those are the people on whom we are calling in our present system of taxation to pay for the running of this government, and I think it is wrong. I think the people in this Commonwealth have been confused, and I do not think it was intentional on the part of the newspapers, but, nevertheless, they were confused by believing that after the enactment of the four percent sales tax this Legislature could on the heels of that tax now place an additional tax burden in the form of an income tax on the backs of the people. We, of course, know that is not true. We, of course, know that this is merely a referendum seeking the will of the people. What do the people want? That is what I am trying to determine and in this year 1959 I want a clear cut decision from the masses of the people in this Commonwealth as to whether or not they are for a graduated income tax. If it is demonstrated to me by an unfavorable vote at the election, then I, of course, will revise my thinking and adopt a new philosophy as to the type of tax that is fair and equitable, but until that has been demonstrated I feel we ought to let the people decide, and I feel that this referendum up for final passage should be passed and sent over to the Senate so that it will eventually be given to the people. I think if the newspapers spell it out clearly that it is not a tax, but a referendum on a tax, the people will be well satisfied, and for that reason, in light of the terrible conditions existing today among the steel workers we ought to give them a referendum so that they will know we are not trying to saddle them with taxes when they are earning no income, and I, therefore, ask that everyone vote in favor of this referendum.

Mr. SCHATZ. Mr. Speaker, the gentleman from

McKean made what I would call a very cute speech. He mentioned a great deal of statistics and somebody once said all you have to do is quote enough figures and you get your point across.

I heard him mention a cafeteria worker who earned \$3.10 an hour and an insurance worker that earned \$3.10 an hour. Then he got into the question of a depression and if we had a graduated income tax your income just would not be sufficient to cover the budget and so forth. Well, if you had that depression would the same thing not happen to your sales tax? Would the sales tax revenue in a depression not be available and then be insufficient? That is why I say the gentleman's remarks were strictly cute in their nature.

We know that we need a graduated income tax rather than a sales tax. We feel that the burden of taxation should be levied on the ability to pay, as has been expressed by Mr. McCormack, the sponsor of this bill. It is obvious that a person who earns \$2,500 a year cannot afford to pay four percent on the items they purchase, whereas a person who has \$25,000 a year very readily can afford that four percent. We, therefore, should give the people of the Commonwealth of Pennsylvania another opportunity to decide whether they would have a graduated income tax rather than a tax of general application like a sales tax.

Mr. A. M. LEE. Thank you, Mr. Speaker. I rise with some trepidation to say some of the things that I am about to say.

I stand somewhat in awe and wonder in viewing the bewildering number of Printer's numbers through which this particular bill has gone. I have been assured a few monments ago by the gentleman from Philadelphia, Mr. McCormack, that the bill is now in proper form and in position to be voted upon on final passage. With that particular statement I disagree. I hesitate to raise these questions because of the fate which has met such suggestions on prior occasions. You may recall that when this bill was first voted upon we raised the question of including the forestry preserve amendment, but the Majority Leader, when he called the bill up, would have no delay and he insisted upon passing it. However, the bill was recalled.

Subsequently we had another situation in which we called certain defects in the bill to the Majority Leader's attention, and we made a motion to postpone the matter. As all the Members of the House will recall, that motion was voted down. Then we all went out to lunch and came back to find they had agreed with what we had said and the matter was put over. Subsequently an amendment was put in the bill. The purpose of that amendment, the stated purpose, was to insure that the graduated income tax would replace the sales tax. That amendment has been horsed around, been changed this way and that way, and I have, I think, the latest Printer's number which I think is 1541, and I have read this language.

It gives me a great deal of pain to call to the attention of the Majority Leader the fact that in my opinion this bill is defective. It refers to the exempting of income taxes on natural persons from requirements of uniformity in certain cases. That gives notice of the subject-matter in the first sentence of the proposed new section, but in the title there is no notice of any kind of the fact that



a sales tax and an income tax cannot be in effect at the same time.

I think in the last debate on this bill the gentleman from Dauphin put it very well when he, Mr. Bowman, said that our highest aim is to insure that legislation of this type is in good form before we pass it, so that I merely call that to the attention of the Majority Leader. I think the bill is defective in having a bad title.

The next thing is, turning to the second sentence of this amendment, on this thing that is supposed to prevent the levying of a sales tax and an income tax at the same time, the Members, if they refer to the bill, will note that it only prohibits an income tax and a general tax on sales or use of personal property from being in effect at the same time. I think all of us know that we do not have a general sales tax in the Commonwealth of Pennsylvania today. We have a selective sales tax, meaning that the tax is levied on certain selected types of commodities, as a result of which if, as I feel, the selective sales tax is not a general tax on the sales or use of personal property, this sentence certainly does not mean anything, because we could still have the graduated income tax and the selective sales tax at one and the same time regardless of the passage of this particular amendment.

It also says in this bill, in the second sentence, and this was an amendment that was put in yesterday, that income tax for state purposes and a general sales tax for state purposes may not be in effect at the same time. The question I raise is as to whether or not the selective sales tax is for state purposes.

I have in my hand a copy of House Bill 665, which was the sales tax amendment which we passed at this Session, and I notice that it originally said "to provide revenue for Commonwealth purposes by imposing a tax." We struck out the word "Commonwealth," so it now reads "to provide revenue for purposes of public education." So I raise the question as to whether or not, if we have a tax for the purpose of public education, that is a tax for state purposes and therefore would be barred if an income tax were in effect at the same time.

Again I say, I raise these questions with some trepidation. I intended to interrogate the various gentlemen involved in this thing, but I felt reasonably sure of the fate these objections would meet, because once this bill is called up there is not very much to stop it from rolling on and on and on.

I am only going to say this. As far as this amendment is concerned in its present form, in my opinion, it is simply a fraud on the people of the Commonwealth of Pennsylvania. They are told that this income tax will replace the sales tax and I think under the language of this amendment that is simply not so, because in my opinion they can still both be levied after the passage of this bill. It is a political bill for political purposes and it is political responsibility at its greatest.

As far as I am concerned, the amendment is also bad because it will put the Commonwealth of Pennsylvania in a straightjacket as far as taxing is concerned. We have heard so much over the years that we cannot levy a graduated income tax because of the prohibition in the Constitution, and now all we are going to do is to put another prohibition and another straightjacket on the Legislature of the Commonwealth of Pennsylvania.

Mr. STEWART. Mr. Speaker, I voted for this resolution the last time, and I know I received a bit of criticism in the Republican Party.

At that time my reasons for my vote were not spread upon the record and I felt, and feel now, that I should make a short statement in connection with this.

There is absolutely no question in my mind that the sponsor of this resolution was sincere when he introduced it. There is no question in my mind that this bill was called up for a vote on the very day the four percent sales tax passed to get the people off the hook. There is also no question in my mind that the Democratic Party has and will continue to support a graduated income tax, and there is no question that the Republican Party is pledged against it.

I might add that I am personally opposed to it, and one of the reasons I feel constrained to say that is that it does, in fact, hit the little man. We will have in Philadelphia a 2 percent wage tax, a 6 percent state income tax and at least a 20 percent federal income tax, or a total of 28 percent out of the wages of little people.

The second reason why I am opposed to it: I find the Communist Manifesto of 1883 says that the proletariat will use its political supremacy to wrest by degrees all capital from the bourgeoisie. And how do they do that? Their second point, a heavy, progressive or graduated income tax.

For these reasons I am opposed to the tax. However, I have faith in the people of my district and this state, and I would love to have this issue on the ballot and the opportunity to campaign against it.

Mr. AUKER. Mr. Speaker, I feel I am in a very peculiar position also in regard to this particular referendum bill. I voted for the original referendum bill. I am emphasizing "referendum" for the ears of the Press so that they can distinguish between the word "referendum" and the words "income tax." There is a big distinction, and I hope they keep that in mind for the edification of the people in Pennsylvania for whom they print the news.

On this particular referendum as it stands now, I am changing my position. That is the reason I am on my feet. I just cannot vote for this type of referendum in its present form.

While I would not go so far as to say it is a fraud upon the people of Pennsylvania, it certainly has a lot of measures of deceit in it, and I do not think we ought to put this type of legislation before the people.

We certainly are confused, and if we are confused I am pretty sure the people will be more confused trying to vote on this type of a referendum bill. I am sorry it was not left in its original form; it was good in its original form. I believe in referendums at any time. It is the basic principle of our representative form of government, and I do not feel we have a right to deny the people at any time the expression of their opinion by secret ballot on any statewide issue such as an income tax would be.

But I cannot conscientiously support this type of legislation in the form in which it is now. It is just poor legislation in its worst form, and I conscientiously believe that. Therefore I am changing my vote on this bill, and I am filing the rest of my reasons. With the permission of the Speaker, I shall ask to do so.



The SPEAKER. The statement will be filed for the purpose of the record.

Mr. McCANN. Mr. Speaker, the bill before us is the Constitutional referendum resolution pertaining to the graduated income tax.

I certainly would like to clear a few points that have been brought to the floor of this House by prior speakers. First, to the gentleman from Philadelphia, Mr. Lee, who questioned carefully the wording pertaining to the sales tax as now written in Printer's No. 1541. If the gentleman will check with the Director of the Legislative Reference Bureau, Mr. Glidden, and the Attorney General of the Commonwealth of Pennsylvania, I am sure he will receive an answer in which it does not make any difference whether you are talking "selective" by title, or any other way, as long as you are talking sales tax. And the wording defined clearly in that referendum pertains to what we now have as a sales tax.

The second question he raised, and I think he is a gentleman of well-versed knowledge of our Constitution, if he will turn to page 63 of the Manual of the Pennsylvania Constitution and read Article X, he would have no question about education. It says, "public schools provided for education." It clearly defines that this is a state responsibility, and defines it in that section.

To the gentleman from Philadelphia who spoke about the Communistic philosophy, that I did not like one bit. The federal income tax would certainly be a graduated income tax and this nation of ours does not intend, never intended and never will try to tax our people to the point he referred to in that philosophy.

As far as House Bill 263 and the remarks by the Minority Leader, Mr. Johnson, I believe he is a man of wisdom who has knowledge of trying to bring industry, let us say, into his own area, which would be personal knowledge. He stated in his remarks that one of the first questions they ask is, "Does the Commonwealth of Pennsylvania have an income tax?" Well, perhaps some gentleman told you that and asked you that, but I bring to the gentleman's attention that in my short lifetime I, too, have had the opportunity to talk to industries now located in other states of our Union, trying to bring them into the Commonwealth in the district I represent. For some reason they never asked that question, but, Mister, they asked very carefully the questions about our corporation taxes, franchise taxes, our profit taxes, our local school taxes, our assessment valuations, and then they asked the things that every good company asks, about our churches, our schools, our roads, our transportation and, if necessary, our water supply or utility supplies. Never have I heard in the Commonwealth that any industry did locate here because we did not have this tax. That would be a statement, then, which 18 of our states in the Union that now have an income tax would certainly consider a detriment to the expansion of business in their states.

I bring to the gentleman's attention that there are many states conducting programs in business expansion similar to Pennsylvania, and I still say that we lead the field in the nation in this particular business recovery. We are bringing business and industry to Pennsylvania, but I believe you will find some of our neighboring states also have a pretty good program, much of which has been copied after Pennsylvania's industrial Act. It is a matter of

many questions when you try to bring business into Pennsylvania.

We have here before us some discussions about the amounts of money such a tax will yield. I think it would be fair to say, on the estimates that have been provided, that with a \$1,000 exemption one percent would be approximately \$350 million. There is no question that the percentage and the exemption could be changed if such a change were adopted by the people of this Commonwealth, but I do not think you would question that there is at least the potential of more than a billion dollars in this field of taxation.

But the one thing we believe in and have believed all our lives is the ability to pay. There is one thing that no one can ever deny, that when you are unemployed, and do not have the pay check coming home every two weeks or every month, you have no fear of income tax, either Federal, state or local under Act 481, because you do not pay any when you do not earn.

Let us carefully consider the situation. If the average wage of Pennsylvania is in the neighborhood of \$4,000 to \$5,000, and we hope it will continue to rise, let us think for a moment of the exemptions and the comparison in ability to pay. If you and I earn \$10,000 a year, and many of us do, there is no question of what you would pay, and there would be no question that you are in the class of able-to-pay; those who struggle along in life and make the small incomes would pay their proportionate small share of cost of operating our Commonwealth.

We believe this bill to be in order. We believe there have been enough conferences on this piece of legislation so that all the questions have been answered and can be answered, and we ask that this bill be supported and voted on. If you believe you are so correct, then we ask you to make sure that it also passes in the other Chamber so the people will have the opportunity, after it has passed this House the second round, to make the decision when they go into the polling houses in the Commonwealth of Pennsylvania.

We have faith in the decision of the people, and we believe they will decide favorably upon this issue. We ask your support in the passage of this referendum to our Constitution.

Mr. WHITTAKER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. McCormack.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated?

Mr. McCORMACK. I shall, Mr. Speaker.

Mr. WHITTAKER. Mr. Speaker, Mr. McCormack has made the statement that a large percentage of this tax is raised from the people on relief and on state aid. I would like him to give me that percentage, please.

Mr. McCORMACK. First of all, Mr. Speaker, I do not think I said a "large" percentage of the tax is paid by people on relief; my point was that I thought it was unfair that people who are not gainfully employed through no fault of their own are presently paying taxes to the Commonwealth. I think it is unfair, and I said if we had a graduated income tax they, of course, earning no income, would not have to pay any tax. What the percentage is, sir, I do not know.

Mr. WHITTAKER. I think, Mr. McCormack, you would find it rather small.

Now tell me one other thing that has confused me to a certain point. What would happen to the one percent wage tax that we now have in many communities throughout the state?

Mr. McCORMACK. It would not be affected by this.

Mr. WHITTAKER. In other words, we could have a wage tax on a wage tax?

Mr. McCORMACK. Yes, sir.

Mr. WHITTAKER. I thank the gentleman.

Being one of those taken across by our press by a misrumor, when it was really a sincere effort on my part to place an issue before the people, and then hearing the arguments we have had here on the floor of the House, with well educated lawyers on both sides disagreeing on points, and this not being a clear-cut referendum to be placed before the people, although we have a Constitution that should be changed in many aspects, to make it more confusing by placing something before the people that is not a clear-cut issue, only makes it that much harder for those of us who would like to have things cleared up, to vote for this measure.

Personally, I am going to change my vote. Not that I want to get off the hook on anything, that is not the point, but it has been brought out here in the House that this thing is not clean cut clear issue to place before the voting public and on that basis I am going to vote no.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—113

Anderson,	Gallagher,	Mihm,	Sakulsky,
Arlene,	Garlock,	Mills,	Scarcelli,
Balthaser,	Gelfand,	Monroe,	Schaaf,
Blair,	Hamilton,	Muldowney,	Schuster,
Boles,	Heavey,	Mullen,	Schwartz,
	Holt,	Munley,	Sherman,
Bonner,	Irvins,	Murphy, A. J., Jr.	Shupnik,
Branca,	Jenkins,	Murray, J. J.,	Silverman,
Broth,	Jim,	Musto,	Snider,
Burns,	Jones, F. R.,	Needham,	Stank,
Capano,	Kamyk,	Nelson,	Stewart,
Capitolo,	Kee,	O'Donnell, J. A.,	Stimmel,
Cianfrani,	Kornick,	O'Donnell, J. P.	Stone,
Cioffi,	Kovolenko,	O'Neill,	Taylor,
Clarke,	Lamb,	Parlante,	Trusio,
Comer,	Leonard,	Pashley,	Varallo,
Crossin,	Limper,	Perry, H. H.,	Verona,
Devlin,	Lopresti,	Perry, P. E.,	Walsh,
Dougherty,	Lulgard,	Petrosky,	Wargo,
Eilberg,	Lutty,	Polaski,	Welsh,
Farabaugh,	McCann,	Polen,	Wheeler,
Filo,	McCormack,	Prendergast,	Williams, A. D., Jr.,
Fineman,	McDonald,	Reibman,	Williams, E. S.,
Floyd,	McKeever,	Reidenbach,	Worley,
Flynn,	McLaughlin,	Renwick,	Yatron,
Foerster,	Machmer,	Elley,	Yetter,
Frank,	Markley,	Rovansek,	Andrews,
Frascella,	Maxwell,	Rudisill,	Speaker
Galley,	Meholchick,		

## NAYS—82

Agnew,	Ewing,	Kernaghan,	Royer,
Auker,	Fetterolf,	Kessler,	Seltzer,
Barton,	Fox,	Kooker,	Steckel,
Bell,	Fulmer,	Korns,	Stevens,
Boris,	George,	Kubitsky,	Stoner,
Bower,	Gibb,	Lee, A. M.,	Strausser,
Bowman,	Goldstein,	Lee, K. B.,	Stroup,
Brenninger,	Goodrich,	Lippincott,	Tompkins,
Brown,	Gramlich,	McCandless,	Ujobai,
Buchanan,	Guthrie,	McInroy,	Varner,
Curwood,	Heffner,	Magee,	Wall,
Davis,	Helm,	Mahan,	Weidner,
Dengler,	Henzel,	Miller, B. Z.,	Wescott,
Dennis,	Hocker,	Murphy, P. J.,	Whittaker,

Dennison,  
Donahue,  
Donaldson,  
Down,  
Edwards,  
Eshback,  
Eshleman,

Holliday,  
Horst,  
Isaacs,  
Johnson, A. W.,  
Johnson, R.,  
Jones, T. H. W.,  
Kelser,

Murray, H. P.,  
Naugle,  
Odorisio,  
Ogilvie,  
Price,  
Pursley,  
Rigby,

Willard,  
Willardt,  
Wilt,  
Wood,  
Wynd,  
Zimmerman,

## NOT VOTING—13

Ashton,  
Cooper,  
Jump,  
Knecht,

Light,  
Merry,  
Miller, H. G.,

Moran,  
Murray, P. G.,  
O'Dell,

Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REASONS FOR VOTE

Mr. AUKER filed the following reasons for his vote on House Bill No. 263, Printer's No. 1384.

As this bill was amended on Tuesday, August 18, it is a bad referendum bill. As the bill now reads as amended, it would make the Pennsylvania Constitution much less liberal than it now is. If passed and voted upon favorably by the people, it would tie the hands of the Legislature beyond what was ever contemplated in that document and probably to the detriment of the people of Pennsylvania. It is now legislation in its worst form.

In addition, there is a very serious doubt as to the constitutionality of the bill in its present form.

Inasmuch as I am, and always have been, opposed to a state imposed income tax, I cannot honestly, sincerely and conscientiously vote for House Bill 263 in its damaged, mutilated and bad condition. It would prevent, if it ever became a part of the Constitution, any other broad based tax ever being passed by the Legislature. To such a condition I am absolutely opposed. It would put the people of this state in an income tax straight jacket from which they probably would never escape. To such a condition or any possible chance of it ever occurring, I am absolutely opposed and I am sure the people of this great Commonwealth of Pennsylvania would be opposed.

## REASONS FOR VOTE

Mr. T. H. W. JONES filed the following reasons for his vote on House Bill No. 263:

I have voted against the latest version of House Bill 263 for the following reasons:

(1) The bill is deceptive in its wording. Its language, upon cursory reading, indicates that a sales tax and a graduated income tax cannot be in effect at the same time. Yet, a more careful reading of the bill indicates the contrary; both could be in effect. This will confuse the voter.

(2) Despite the deceptive wording, the bill still does not have the virtue of empowering the state Legislature to levy any reasonable tax it might wish.

(3) The bill represents no more than a clever attempt by the majority party to present its tax philosophy to public scrutiny. It does not seem to me to be a sincere effort to strengthen the taxing powers of the General Assembly.

## REASONS FOR VOTE

Mr. A. D. WILLIAMS filed the following reasons for his vote on House Bill 263:



Because of my belief that the people of Pennsylvania should be able to decide for themselves issues of major importance by means of a referendum, I am voting for this bill although I would vote against a graduated income tax when I went to the polls. I believe the people of Pennsylvania would defeat a graduated income tax by a tremendous margin but it is vital that they have this choice.

Pennsylvania can no longer be hamstrung by Constitutional provisions which the people no longer believe in or support.

Given this choice between a sales tax and an income tax, I am convinced the vast majority of our citizens will choose the sales tax. This bill gives the people that choice. I have faith in the people to make that decision.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1109, entitled:

An Act establishing as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties of the second class and requiring their construction repair and maintenance by the Commonwealth.

On the question,

Shall the bill pass finally?

Mr. HELM. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Filo.

The SPEAKER. Will the gentleman from Allegheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if the bill that we are considering is the omnibus bill for county roads and bridges in Allegheny County?

Mr. FILO. That is correct, Mr. Speaker.

Mr. HELM. Taking over of the county roads and bridges of Allegheny County. Now, does this—

Mr. FILO. We are taking no roads, Mr. Speaker, just a certain—

Mr. HELM. The gentleman is second-guessing me. He is answering my question before I ask it. Even though we have three categories which take effect within the next three years, this bill does not include all of the roads and bridges on the county system in Allegheny County, is that true?

Mr. FILO. That is correct, Mr. Speaker.

Mr. HELM. As I have been informed and as I have totalled up the mileage in the bill under category one which is taken over by May 1960, I would like to ask the gentleman if I am correct, it includes 5.76 miles of county highway and 40 bridges?

Mr. FILO. That is correct, Mr. Speaker.

Mr. HELM. And, Mr. Speaker, am I also correct in my addition when I find that in category two there are 62.35 miles and 55 more bridges?

Mr. FILO. I believe the gentleman's addition is correct, Mr. Speaker.

Mr. HELM. And the third category is 93.67 miles and 95 more bridges?

Mr. FILO. I assume that is correct too, Mr. Speaker.

Mr. HELM. My total then shows a total of 161.78 miles of county highway being taken over by the Commonwealth and a total of 190 bridges. Will the gentleman state that that figure is approximately correct?

Mr. FILO. Mr. Speaker, approximately, yes. The total

roads would be 161.9 miles; the major bridges would be 14 plus multi-span bridges 11, single-span bridges 46, and small bridges under 20 feet and culverts would be 117.

Mr. HELM. Mr. Speaker, then could I ask the gentleman in category number one, if I am correct in reading the bill, that it includes the Liberty Bridge and the Liberty Tunnels?

Mr. FILO. That is correct, Mr. Speaker.

Mr. HELM. Now the next question I would like to ask, Mr. Speaker, is, does the gentleman have any figures as to how much this taking over of these roads and the maintaining of them is going to cost the Commonwealth of Pennsylvania?

Mr. FILO. Mr. Speaker, I would like the gentleman to yield to inform the Members of the House something about the bill and we might proceed more efficiently. I can give him that answer.

Mr. HELM. I would like to have the answer, Mr. Speaker, if I may. I do not want to press the gentleman and I will certainly let him—

Mr. FILO. Mr. Speaker, I would like to yield to the gentleman from Allegheny, Mr. Donaldson.

The SPEAKER. The gentleman from Allegheny, Mr. Filo, desires to yield to the gentleman from Allegheny, Mr. Donaldson.

Mr. HELM. Mr. Speaker, I will inquire of the gentleman from Allegheny, Mr. Donaldson, as to the cost of maintaining these roads by the Commonwealth of Pennsylvania.

Mr. DONALDSON. Mr. Speaker, do I understand the gentleman asks the question, how much it will cost the Commonwealth of Pennsylvania to take over and maintain the roads in House Bill 1109?

Mr. HELM. That is right.

Mr. DONALDSON. Mr. Speaker, I have a communication from Park H. Martin, Secretary of Highways, by Mr. W. R. B. Forelich in which he says, and I would like to quote because I think that would be the principal authority,

The Department has no objection to the placing of these segments of roads and bridges on the state highway system since all of these facilities are in good repair and excellent condition. Due to the good condition of these roads and other facilities, there should be no appreciable cost involved by the Department of Highways in taking them over.

Does that answer the gentleman's question?

Mr. HELM. No, that is not the question I would like to have answered. How much will it cost Highways per year to maintain these roads?

Mr. DONALDSON. I would assume that the statement of the Department which says that there will be no—that they are in good condition and there will be no immediate cost, that certainly the cost of maintaining these 162 miles of roads would be on a per mile basis similar to maintaining the other 40,000 miles of state roads.

Mr. HELM. Do you have any idea, Mr. Speaker, as to the amount that will involve per year?

Mr. DONALDSON. To the amount this 162 would require? No, I do not.

Mr. HELM. Mr. Speaker, I would then like to ask the gentleman, since Mr. Filo has yielded to the gentleman from Allegheny, Mr. Donaldson, I cited a total of highways that we were taking over and I have been informed

that this is about one-third of the entire county highway plan in Allegheny County?

Mr. DONALDSON. That is correct.

Mr. HELM. Are we to assume then that in possibly the next Session or the Session following we will be taking over an additional 320 miles, plus an X number of bridges?

Mr. DONALDSON. I have no idea at all one way or another on that. This is the plan before us. House Bill 1109, contemplates about one-third of the present county mileage.

Mr. HELM. I thank the gentleman.

Mr. Speaker, I would then like to ask of the gentleman from Alleghany, Mr. Filo. . .

The SPEAKER. Will the gentleman from Allegheny, Mr. Filo, consent to be further interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. HELM. Does the gentleman from Allegheny have any knowledge that the program in the future will be to add the other two-thirds of the highways on the county plan in Allegheny County to the highway system?

Mr. FILO. Mr. Speaker, I do not think that is pertinent to the discussion of this matter. This is House Bill No. 1109, and what they will project in the future I do not know. I do not think the gentleman knows himself.

Mr. HELM. Of course I do not know, Mr. Speaker. That is what I am trying to find out. I believe they are trying to get the door open to get the entire foot in.

Now, the gentleman yielded to the gentleman from Allegheny as to the cost. Does the gentleman have any idea that I am correct when I tell him that the cost of maintaining these highways and bridges and the Liberty Tunnels in Pittsburgh and Allegheny County, this portion that we are now taking over, will cost the Commonwealth better than \$3 million a biennium for maintenance alone?

Mr. FILO. I think the gentleman is in error, Mr. Speaker.

Mr. HELM. Well, Mr. Speaker, I have been reliably informed that is correct.

Mr. FILO. Mr. Speaker, for the gentleman's information, I can break it down into several categories.

Presently under category number one, wages and salaries would be \$420,000; materials, supplies and services and services would be about \$46,000. So, the total for the first category would be approximately \$466,000.

The second category, wages and salaries would be \$446,000; \$96,000 for material and service; the total would be \$542,700.

Category three, would be \$673,000 and \$147,000 for materials, supplies and service a total of \$820,000.

In other words, the total cost presently would be, not the \$3 million the gentleman spoke of, but about \$1.828 million.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if he is speaking on the biennium or per year?

Mr. FILO. I am speaking of the per year.

Mr. HELM. Then am I not correct that the cost will be about \$3.5 million a biennium?

Mr. FILO. It is possible.

Mr. HELM. Mr. Speaker, I would also like to inquire of the gentleman, since we are taking over by legislative action the Liberty Tunnels in the city of Pittsburgh, who will pay for the policing of the Liberty Tunnels?

Mr. FILO. Mr. Speaker, I assume the fact that they would be taken over by the state, the tunnel would be

taken over by the state, and I would naturally assume that state employes would take over the policing.

Mr. HELM. Does the gentleman have idea how much that is going to cost?

Mr. FILO. I imagine this is included in the cost here that I quoted the gentleman.

Mr. HELM. Mr. Speaker, I thank the gentleman.

I am raising these points purely and simply for the record and not for the purpose of necessarily opposing the passage of this bill. However, I do believe that it is adding an additional cost to this Commonwealth which is going to eventually approach, I think, pretty close to \$10 million a biennium, as we take over all the highways in the county of Allegheny now controlled by the county in Allegheny. I just wanted to say to the Members, I wanted to point this out to them, the obligation that we are now assuming and say they should think very thoroughly in casting their vote on this bill.

Mr. FILO. I would like to inform the Members of the House that presently in Allegheny County we maintain a county road system, a highway system, of 500 miles. Five hundred miles is twice the amount in all the other counties put together in the Commonwealth. We have been maintaining these roads for quite a number of years. We feel that we have maintained them to an adequate standard. The roads are the highest type, as stated by the Secretary of Highways, they are in very good shape, the cost of them in the next ten years will be practically the same or probably less than present state roads.

We have shared this burden of 500 miles of road in Allegheny County for quite a number of years. We felt someone might ask why weren't these roads turned over when other counties turned them over, and I would like to inform the Members of the House that from 1931 to 1937 there were 11,000 miles of road dumped into the lap of the Commonwealth and the highway system. At that time all you had to do to get rid of your roads was to have the county commissioners designate them and say this is going to be a state road, then run to the highway department and say, here is your baby. We are doing this in a proper fashion, bringing them before the Legislature, which has the right to do these things properly. We feel that we have done a good job in Allegheny County as far as maintenance of roads. These roads are all connecting roads to existing state highways in the county of Allegheny.

I might add, Mr. Speaker, that presently we have under construction two bridges. The approximate cost of these two bridges would be about \$60 million. These bridges even though they are under construction will be paid for by bonds issued by Allegheny County and will not be a burden on the state of Pennsylvania.

Mr. Speaker, I urge the Members to vote in favor of House Bill No. 1109.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Filo, one additional question if I may.

The SPEAKER. Will the gentleman from Allegheny, Mr. Filo, permit himself to be further interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, I believe the gentleman said that Allegheny County maintains twice as many roads as all the rest of the counties combined. Does the gentleman



know that there is only one other county in this Commonwealth that has a county road system?

Mr. FILO. I do, sir.

Mr. HELM. Does the gentleman also know that they had the same opportunity back in the 1930's when every other county in this Commonwealth turned over their roads to the highway system, that Allegheny County could have done exactly the same as the rest of the counties?

Mr. FILO. Yes, Mr. Speaker, and I might—

Mr. HELM. Does the gentleman have any idea why they did not turn them over at that time?

Mr. FILO. I probably have, Mr. Speaker.

Mr. HELM. Does the gentleman care to state that reason?

Mr. FILO. I would state that at the time these roads were being turned over to the state the Highway Department was not as efficient with its road system as we in Allegheny County and we decided to keep them and maintain them. Presently, Mr. Speaker, I feel that the Highway Department is doing a good job on highways and that is the reason we are turning them over.

Mr. HELM. Mr. Speaker, the gentleman has stated, I think, a very good reason for the record, but frankly and truthfully, he knows that is not the reason.

Mr. DONALDSON. Mr. Speaker, the roads and bridges which are contemplated in House Bill 1109 representing approximately one-third of the mileage of roads held and maintained by the county of Allegheny have an approximate worth of \$200 million, so that we could successfully argue perhaps that we, the people, the taxpayers of Allegheny County, are turning over to the Pennsylvania Department of Highways \$200 million in new facilities, for these facilities are in good condition. They represent bridges some of which are just now under construction. But I think we ought to consider this measure not in that light. Certainly it should not be considered as a political pay-off to Pittsburgh, a quote which I ran into in one of the newspapers. Let us look at the matter on its merits.

Most of the counties in Pennsylvania, after the 1943 enabling legislation, turned over their roads and bridges to the Commonwealth. Allegheny County did not for reasons which are not important to this discussion, but the roads and bridges in House Bill 1109 are principal traffic arteries. They are in fact, and ought to be in law, a part of a comprehensive state highway system.

I might add that the original suggestion to turn them over was made in 1941 by a Republican candidate for county commissioner, the Honorable Robert J. Corbett, now a Congressman from the district which I represent. Responsible political leaders of the Republican party in Allegheny County have consistently advocated that the taxpayers of Allegheny County be relieved of the burden of supporting a highway and bridge system which was properly a part of the state highway system.

I ask the Members on this side of the House to consider this voting merit. These are principal traffic arteries, they belong to the state highway system, that is where they ought to be. They represent \$200 million of roads for which the Commonwealth will not have to pay. They are a gift from the people of Allegheny County. This bill in equity and fairness ought to be passed and the taxpayers of Allegheny County relieved of this further obligation of the support of these roads and bridges.

I would ask all of the Members of this House to give to

Allegheny County what we have given to all the other counties in this Commonwealth.

Mr. BLAIR. Mr. Speaker, I have been privileged to serve six terms in this House. Each Session of the Legislature I have requested the Highway Department to make various changes in our highway system in Erie County, always being cognizant of the fact that I must return an equal amount of mileage for the mileage that the state accepts.

In looking over his bill I am wondering where the miles come from that are being turned back to the city of Pittsburgh or Allegheny County as a result of this exchange. I have operated under a rule for 11 years now and I wonder what has happened to the rule. It is being thrown out the window, and am I wrong in overlooking that there might be mileage turned back to Allegheny County that is not specified in this particular bill? I would like to have somebody answer me that question.

The SPEAKER. Does the gentleman from Erie care to interrogate any particular Member?

Does the gentleman from Allegheny, Mr. Agnew, desire to answer the question propounded by the gentleman from Erie?

Mr. AGNEW. I will answer his question, Mr. Speaker. The gentleman will remember that it has been commented on by other speakers that during the 1930's enabling legislation permitted the counties of this Commonwealth by action of their county commissioners to turn their county roads over to the state. I am sure that Erie County, as have 65 other counties in the Commonwealth, took advantage of that at that time. When Erie County turned its county roads over to the Commonwealth, I do not know whether it was 100 miles or 1,000 miles of county roads at that time, you did not have to take back an equal amount of roads, and neither did any other county in the Commonwealth. That is the reason for it. Allegheny County is just 25 years behind the other counties in this Commonwealth, with the exception of Montgomery, in taking advantage of legislation passed in 1931 and in succeeding Sessions of the Legislature.

Mr. BLAIR. Mr. Speaker, you heard me say that in my 11 years that I have served here never once have I ever asked for an exchange of roads that I did not turn an equal amount of mileage back and that has been impressed upon me at every Session. At this Session, for example, I am requesting the state to take over about two miles of road and I am turning back about 22, and that has been the rule that I have had to live with and abide by ever since I have been a Member. I think this would, perhaps, come under class legislation to permit such a deal as this, without an equal amount of mileage being turned back, so that we are all treated equally and fairly. I thank you.

Mr. AGNEW. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Blair.

The SPEAKER. Will the gentleman from Erie, Mr. Blair, permit himself to be interrogated?

Mr. BLAIR. I shall, Mr. Speaker.

Mr. AGNEW. Mr. Speaker, I ask the gentleman from Erie, Mr. Blair, if at any time during his ten years' service in this House did he ask the state to take over a county road?

Mr. BLAIR. No.

Mr. AGNEW. The roads you are referring to then, sir, are township roads or borough roads?

Mr. BLAIR. Right.

Mr. AGNEW. Not then, roads made by the county of Erie. I ask the gentleman, Mr. Speaker, if Erie County maintains a road system?

Mr. BLAIR. They do not.

Mr. AGNEW. They do not have one mile of road laid by the county of Erie?

Mr. BLAIR. No sir.

Mr. AGNEW. Did you at one time have a county road system in Erie County?

Mr. BLAIR. That could have been possible many, many years ago; not in my memory.

Mr. AGNEW. But during your tenure of service in this House you have not asked the state to take over one mile of county road, is that right?

Mr. BLAIR. No.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Helm.

The SPEAKER. Will the gentleman from Armstrong, Mr. Helm, permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. AGNEW. Mr. Speaker. I would ask the gentleman from Armstrong, Mr. Helm, whether Armstrong County at the present time maintains any county roads?

Mr. HELM. Mr. Speaker, Armstrong County at the present time maintains two county bridges that are on the highway system.

Mr. AGNEW. Does Armstrong County maintain anything in the way of bridges other than the two bridges you refer to?

Mr. HELM. The Armstrong County Commissioners, Mr. Speaker, presently maintain 35 bridges in Armstrong County with county funds.

Mr. AGNEW. But only two bridges on the state highway?

Mr. HELM. That is right.

Mr. AGNEW. But not substantial mileage in a county road system?

Mr. HELM. That is also correct.

Mr. AGNEW. Then Armstrong County at one time maintained a county road system?

Mr. HELM. Not to my knowledge.

Mr. AGNEW. Well, if I told the gentleman that Armstrong County, along with 64 other counties in the Commonwealth, in the 1930's turned over their road system to the Commonwealth, would the gentleman say there was an error?

Mr. HELM. I certainly would not.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, I think this interrogation has brought to light the plight of residents of Allegheny County, and we would ask the Members of this House to consider our legislative request at this time in that light.

There is only one other county in the Commonwealth that maintains a county road system today. That county is Montgomery. I do not know what their reasons are for not taking advantage when they had the opportunity, as did Allegheny County, to turn their road system over to the state. Perhaps it was for the same political reasons that the roads were kept under the control of Allegheny County. I do know that residents of Allegheny County

have been paying double for the construction and maintenance of that 505 miles of county highways in the last 25 years. The residents of Allegheny County pay the same state gasoline tax, the same state license fee, as do all the residents of other counties in this Commonwealth, including Montgomery County.

What Montgomery County wants to do about its county road system is up to Montgomery County; but in Allegheny County we are tired of paying that double bill. We want what is truly part of the state highway system to be maintained as part of the state highway system. We paid double for these roads for 25 years while you people had a set of county commissioners who were smart enough to turn your county roads over to the state. In Allegheny County we were not that fortunate and we must pay double for them. Now they have finally seen the light, as majority commissioners of Allegheny County, and they have gone along with what has been a 25-year Republican request, that part of these roads be turned over to the Commonwealth. We are only asking you to take over approximately one-third of our 505 miles of county roads. If this bill should become law we will still have more county roads than all the other counties in the Commonwealth put together, and, of course, that only means Montgomery County because none of the rest have any county roads.

We think that the merits of the situation are 100 percent in favor of this bill and we ask for support from both sides of the House for House Bill 1109.

Mr. CURWOOD. I whole-heartedly agree with Mr. Agnew, but he just missed one county. Luzerne still has county roads and I can understand the why and wherefore of county roads. We have 100 miles. We have a bill in the House to give back 25 miles a year and I whole-heartedly agree as to why they want to give it back. Why should a few counties pay their bill when the rest of the counties are getting away scot-free? I whole-heartedly endorse the situation giving all the roads back to the State.

Mr. HELM. May I interrogate the gentleman from Allegheny, Mr. Agnew?

The SPEAKER. Will the gentleman from Allegheny, Mr. Agnew, consent to be interrogated?

Mr. AGNEW. I will.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman, although he is probably not the proper person to ask this question of because he is not a member of the board of county commissioners, but does he have any assurance from the board of county commissioners that they have no intention of adding an additional 120 miles onto the county highway system during the next year?

Mr. AGNEW. I have no personal assurance, Mr. Speaker, but I would tell the gentleman from Armstrong, Mr. Helm, and the other Members of this House that it is my understanding this is a recommended program as a result of a study by a special commission. It has received the complete support of the present administration and the Highway Department and under all the circumstances I do not think it would be with very good grace for Allegheny County to come back in the near or the immediate future and make any additional requests. Although I think they would be perfectly justified at this time to ask the Members of this House to vote for a bill taking over all 505 miles of roads, they have not done that. They are



only asking for 152 miles, and I personally would oppose any attempt on the part of Allegheny County in the immediate future to add additional road mileage to what is now contained in 1109.

Mr. HELM. Mr. Speaker, I believe that the gentleman has misunderstood my question.

My question was, if he has any knowledge that the county commissioners will make any attempt in the next year or the next two years to take over 120 or 125 miles of other township roads and add them to the county highway system.

Mr. AGNEW. I have no knowledge of that but I would very much doubt that there would be any such attempt. It would certainly not be the part of political expediency in Allegheny County for any set of county commissioners to take such action.

Mr. HELM. Does the gentleman have any knowledge at all that this is a move to eventually abolish the county highway system in Allegheny County?

Mr. AGNEW. I have no such knowledge.

Mr. HELM. I thank the gentleman.

Mr. FILO. Mr. Speaker, I would like to inform the gentleman from Armstrong, Mr. Helm, that I have been informed that we certainly do not intend to come back here in the near future. We have presently 342 miles of highways plus 66 per cent of all the bridges in the county to maintain. Incidentally, bridges that we are handing over are only 33 percent of the total bridges in Allegheny County.

Mr. AGNEW. Just briefly and to clear up a point, the county commissioners in Allegheny County have not, I repeat, been adding to the county roads' system in the county. There has been no attempt to do that down through the years and, as far as any of us from Allegheny County know, there certainly will be no attempt in the future.

One more thing, I want you all to understand we are talking about county roads. In Allegheny County we have our township roads and our borough roads, just like they do in other counties. These are only county roads owned and maintained by Allegheny County. We also get for every one of these roads the state gasoline tax reimbursement just as you do. Now that is a point that some of the Members asked me to clear up and I am glad to do it.

Mr. DONALDSON. I want to assure the present speaker and the former speaker that when you come from either Johnstown or Kittanning to Pittsburgh you must cross county bridges, and we want them in good shape because we invite you down for the World Series this fall.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—139

Agnew,	Frascella,	McCann,	Price,
Anderson,	Fulmer,	McCormack,	Reibman,
Arlene,	Galley,	McDonald,	Reidenbach,
Auker,	Gallagher,	McKeever,	Renwick,
Balthaser,	Garlock,	McLaughlin,	Rigby,
Boles,	Gelfand,	Machmer,	Riley,
Bonner,	Gibb,	Magee,	Rovansek,
Boris,	Goldstein,	Mahan,	Rudisill,
Branca,	Hamilton,	Maxwell,	Sakulsky,
Breth,	Heavey,	Meholchick,	Scarcell,
Burns,	Heffner,	Mihm,	Schaaf,
Capano,	Holt,	Miller, B. Z.,	Schuster,
Capitolo,	Irviss,	Mills,	Schwartz,
Cianfrani,	Isaacs,	Monroe,	Sherman,

Cioffi,	Jenkins,	Muldowney,	Shupnik,
Clarke	Jim,	Mullen,	Silverman,
Comer,	Johnson, A. W.,	Munley,	Snider,
Crossin,	Jones, F. R.,	Murphy, A. J., Jr.	Stank,
Curwood,	Kamyk,	Murphy, P. J.,	Stevens,
Dennis,	Kee,	Murray, J. J.,	Stewart,
Dengler,	Kernaghan,	Musto,	Stone,
Dennison,	Kessler,	Needham,	Taylor,
Devlin,	Kornick,	Nelson,	Trusio,
Donaldson,	Korns,	O'Donnell, J. A.,	Varallo,
Dougherty,	Kovolenko,	O'Donnell, J. P.	Verona,
Eilberg,	Kubitsky,	Odorislo,	Walsh,
Ewing,	Lamb,	O'Neill,	Wargo,
Farabaugh,	Lee, A. M.,	Parlante,	Welsh,
Fetterolf,	Leonard,	Pashley,	Wheeler,
Filo,	Limper,	Perry, H. H.,	Wilt,
Fineman,	Lippincott,	Perry, P. E.,	Wynd,
Floyd,	Lopresti,	Petrosky,	Yatron,
Flynn,	Luigard,	Polaski,	Yetter,
Foerster,	Lutty,	Polen,	Andrews,
Frank,	McCandless,	Prendergast,	Speaker

## NAYS—52

Barton,	Fox,	Kooker,	Strausser,
Bell,	George,	Lee, K. B.,	Stroup,
Blair,	Goodrich,	McInroy,	Tompkins,
Bower,	Gramlich,	Markley,	Ujbal,
Bowman,	Guthrie,	Murray, H. P.,	Wall,
Brenninger,	Helm,	Naugle,	Weidner,
Buchanan,	Henzel,	Ogilvie,	Wescott,
Davis,	Hocker,	Pursley,	Williams, A. D., Jr.,
Donahue,	Holliday,	Royer,	Williams, E. S.,
Down,	Horst,	Seltzer,	Willard,
Edwards,	Johnson, R.,	Steckel,	Willaredt,
Eshback,	Jones, T. H. W.,	Stimmel,	Wood,
Eshleman,	Kelser,	Stoner,	Worley,

## NOT VOTING—17

Ashton,	Light,	Murray, P. G.,	Thompson,
Brown,	Merry,	O'Dell,	Varner,
Cooper,	Miller, H. G.,	Snare,	Whittaker,
Jump,	Moran,	Sullivan,	Zimmerman,
Knecht,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2239 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2239, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled, as amended, "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the first class as State Highways \* \* \* and appropriating money in the Motor License Fund for the purpose of this act eliminating certain restrictions," changing certain routes and adding certain new routes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HELM. I rise with the idea of interrogating the gentleman from Philadelphia, Mr. Comer, but perhaps if the gentleman wants to make a statement, he may answer my questions in his statement. I will be happy to wait until he makes his statement.

Mr. COMER. Mr. Speaker, if the gentleman from Armstrong would care to ask questions first, it is all right with me.

Mr. HELM. Mr. Speaker, I ask permission to interrogate the gentleman from Philadelphia, Mr. Comer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Comer, consent to be interrogated by the gentleman from Armstrong, Mr. Helm?

Mr. COMER. I shall Mr. Speaker.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if he will state how many miles of road and city streets are being taken over in the city of Philadelphia and put on the highway system?

Mr. COMER. Approximately 35 miles, Mr. Speaker.

Mr. HELM. Will the gentleman then tell me how many miles of proposed expressways are being put on the highway system?

Mr. COMER. I will give him the answer in a moment, Mr. Speaker. I would say approximately 36 miles.

Mr. HELM. Mr. Speaker, I would like to inquire of the gentleman if, on these proposed expressways that are being taken over by the Highway Department of the Commonwealth of Pennsylvania, there are existing highways, or if there are existing places where these expressways are to be built?

Mr. COMER. There are.

Mr. HELM. Is it the opinion of the city of Philadelphia that they then press for the immediate construction of these expressways in the city of Philadelphia?

Mr. COMER. No, we do not, Mr. Speaker. We have suggested seven expressways here. That would take over a period of anywhere from 10 to approximately 15 years to build. I would say in the near future we would press for approximately two.

Mr. HELM. Does the gentleman have any idea, if these proposed expressways were to all be constructed in the immediate future, of the cost to the Commonwealth for the construction of these expressways?

Mr. COMER. The total cost for the expressways?

Mr. HELM. Yes.

Mr. COMER. Well, let me put it this way, Mr. Speaker, six of these proposed expressways would be on the 50-50 basis, where one, I believe the Cobbs Creek expressway would be 90-10. It would be approximately, the state's share would be, about \$232,200,000, approximately \$232 million.

Mr. HELM. I thank the gentleman.

I believe the gentleman, in answering these questions, has certainly proved how I feel about it. I would like to ask the gentleman if he has any idea how many additional cents of gasoline tax it will take to build this system?

Mr. COMER. No, I do not, Mr. Speaker.

Mr. HELM. I thank the gentleman.

Mr. COMER. Mr. Speaker, I do not want to be too lengthy on this because there are on this proposed bill many streets, that our Members would not be familiar with. Every one of these proposed streets would tie in with the existing expressway extension and freeways.

Practically every one of our proposed streets in one way or the other would tie in with the Delaware Expressway, the construction of which will start approximately at the end of this year or the beginning of next year.

I would like to point out how important this program

is to Philadelphia, Delaware County, Bucks County and Montgomery County. As these surrounding counties know, we are gradually being choked to death in Philadelphia by traffic. A bold effort must be made down there to accelerate the flow of traffic in and out of the city, to and from these counties. At the same time, all these proposals deal in many ways with our Port of Philadelphia, our new food center. Our Port of Philadelphia deals with approximately 40 counties in the Commonwealth, including the entire northern tier.

Mr. Speaker, I do not want to be too lengthy with this, so I will close and ask both sides of the House to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—141

Agnew,	Frascella,	McDonald,	Reidenbach,
Andersen,	Galley,	McKeever,	Renwick,
Arlene,	Gallagher,	McLaughlin,	Rigby,
Balthaser,	Garlock,	Machmer,	Riley,
Blair,	Gelfand,	Mahan,	Rovansek,
Boles,	George,	Maxwell,	Rudisill,
Bonner,	Gibb,	Meholchick,	Sakulsky,
Bower,	Goldstein,	Mihm,	Scarcell,
Branca,	Hamilton,	Miller, B. Z.,	Schaaf,
Bruth,	Heavey,	Miller, H. G.,	Schuster,
Brown,	Heffner,	Mills,	Schwartz,
Burns,	Holt,	Monroe,	Sherman,
Capano,	Irviss,	Muldowney,	Shupnik,
Capitolo,	Isaacs,	Mullen,	Silverman,
Cianfrani,	Jenkins,	Munley,	Snider,
Cioffi,	Jim,	Murphy, A. J., Jr.	Stank,
Clarke,	Johnson, A. W.	Murphy, P. J.,	Stevens,
Comer,	Jones, F. R.,	Murray, J. J.,	Stewart,
Crossin,	Kamyk,	Musto,	Stone,
Curwood,	Kee,	Needham,	Taylor,
Dengler,	Kernaghan,	Nelson,	Trusio,
Dennis,	Kessler,	O'Donnell, J. A.,	Varallo,
Devlin,	Kornick,	O'Donnell, J. P.	Varner,
Donaldson,	Korns,	Odorislo,	Verona,
Dougherty,	Kovolenko,	O'Neil,	Walsh,
Edwards,	Lamb,	Parlante,	Wargo,
Eilberg,	Lee, A. M.,	Pashley,	Welsh,
Ewing,	Leonard,	Perry, H. H.,	Wheeler,
Farabaugh,	Limper,	Perry, P. E.,	Whittaker,
Fetterolf,	Lippincott,	Petrosky,	Wilt,
Filo,	Lopresti,	Polaski,	Wynd,
Fineman,	Luigard,	Polen,	Yatron,
Floyd,	Lutty,	Prendergast,	Yetter,
Flynn,	McCann,	Price,	Andrews,
Foerster,	McCormack,	Reibman,	Zimmerman,
Frank,			Speaker

## NAYS—55

Auker,	Fulmer,	Lee, K. B.,	Strausser,
Barton,	Goodrich,	McCandless,	Stroup,
Bell,	Gramlich,	McInroy,	Tompkins,
Boris,	Guthrie,	Magee,	Ujobai,
Bowman,	Helm,	Markley,	Wall,
Brenninger,	Henzel,	Murray, H. P.,	Weldner,
Buchanan,	Hocker,	Naugle,	Wescott,
Davis,	Holliday,	Oglivie,	Williams, A. D., Jr.,
Dennison,	Horst,	Pursley,	Williams, E. S.,
Donahue,	Johnson, R.,	Royer,	Willard,
Down,	Jones, T. H. W.,	Seltzer,	Willaredt,
Eshback,	Keiser,	Steckel,	Wood,
Eshleman,	Kooker,	Stimmel,	Worley,
Fox,	Kubitsky,	Stoner,	

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1702 on page 4 of today's calendar, bills on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1702, entitled:

An Act relating to State highways, roads and bridges and certain use thereof, amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto \* \* \*.

On the question,

Shall the bill pass finally?

Mr. HELM. Mr. Speaker, I thank the gentleman from Philadelphia, Mr. Comer, and I think we are going to get up to the point where I want to interrogate the gentleman.

I would like to call attention of the Members of this House that the bill we are now considering is House Bill No. 1702, Printer's No. 1543, commonly known as the Highway Code, which gives powers to the Secretary of Highways, which I hope to bring out in my interrogation of the gentleman from Philadelphia, Mr. Comer, if he will permit himself to be interrogated.

Mr. COMER. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, does the gentleman have a copy of the latest printer's number of the bill before him?

Mr. COMER. I do, Mr. Speaker.

Mr. HELM. I would like to ask the gentleman if he will bear with me because I will probably flip from one page to another, from one section of the bill to another. If he will turn first to page 24, Section 502, I would like to ask the gentleman in his opinion, under this section of the bill, who will have the power to decide when and where new highways will be constructed?

Mr. COMER. In answer to the gentleman's question, Mr. Speaker, this will lie, in my estimation, strictly where it belongs, with both Houses.

Mr. HELM. Will the gentleman read lines 17, 18 and 19 on page 24, and tell me that the Secretary of Highways does not have the power to construct new highways and abandon or vacate existing highways?

Mr. COMER. I will, Mr. Speaker. I believe the contents of the three lines are needed for the Secretary to carry out the intent of this bill.

Mr. HELM. Mr. Speaker, is the gentleman trying to tell me that the amendment that was put in on page 25 of the bill will then take away the power that you apparently intend to convey, Section 502, that the Secretary have the complete power to construct new highways or to abandon old highways?

Mr. COMER. I disagree. The way I interpret the bill, Mr. Speaker, and the way I was informed by the Reference Bureau, this is the way it had to be worded to comply with the wishes of my Committee.

Mr. HELM. You believe that the Secretary of Highways then would not have sole power to construct or to vacate or take over any road if he so desired without the approval of this Legislature.

Mr. COMER. That is right. I do not believe he has that power. My intentions were that he would not have that power, Mr. Speaker.

Mr. HELM. I thank the gentleman. Once a new highway is built and people build their houses along it, who will decide whether it is to be abandoned or relocated?

Mr. COMER. What section do you refer to?

Mr. HELM. I would refer you to Section 1701 on page 68 of the bill.

Mr. COMER. Will the gentleman ask that question again, Mr. Speaker?

Mr. HELM. I would like to ask, once the new highway is built and people have already built their homes along that new highway, who will decide whether the road is to be abandoned or relocated?

Mr. COMER. I believe we would, Mr. Speaker, or, rather, the representative of that section of the borough or township and so forth.

Mr. HELM. I would remind the gentleman that Section 1701 reads: "The Secretary may abandon highways where in his judgment a new highway replaces one highway to be abandoned." Does that section not give to the Secretary of Highways the right to abandon or relocate a road when he deems fit?

Mr. COMER. He has that power at this time. I believe back some time ago, it was provided where he would have the power to replace, I believe, about approximately one mile.

Mr. HELM. Will the gentleman show me or tell me where that is in the bill?

Mr. COMER. That is back in one of the older Acts. I do not have it, Mr. Speaker.

Mr. HELM. Mr. Speaker, this particular bill repeals all other Acts. Under Section 2303 on page 128 of today's bill it says: "All other acts and parts of acts are repealed insofar as they are inconsistent herewith."

Mr. COMER. I have the repealer section, Mr. Speaker. I am not sure of the date of the Act I referred to.

Mr. HELM. Mr. Speaker the repealer section is on page 128, the last section of the bill, if the gentleman is interested in finding it, Section 2303. Will the gentleman turn to page 128 of the bill?

Mr. COMER. I have it, Mr. Speaker.

Mr. HELM. Will the gentleman read for his own information Section 2303?

Mr. COMER. You are correct.

Mr. HELM. Therefore, then, am I correct that the Secretary of Highways would have the right, under Section 1701, to abandon any highway he saw fit where a new highway had been constructed?

Mr. COMER. Mr. Speaker, we have amended and changed this bill so much that I am not sure what page anything is on, believe me.

Mr. HELM. I thank the gentleman for his frankness. That is why I am trying to refer him to the proper pages.

Mr. COMER. I would say to the gentleman, Mr. Speaker, there is another section in the bill—I am trying to come across it—that will deal with the section you are referring to; not the repealer section.

Mr. HELM. Mr. Speaker, will the gentleman now refer to Section 404 of the bill? I believe you will find that on page 23.

In this particular section it says that the Secretary has exclusive authority over all highway facilities. The

question I would like to ask the gentleman is, how would this affect the present powers of the Department of Forests and Waters as to highways in state forests and parks or the present powers of the Public Utility Commission as to highway railroad crossings, and any other department where highways happen to be involved?

Mr. COMER. Well, Mr. Speaker, referring to Section 404, I would like to read the breakdown from the department given at one of our hearings that we held in regard to the bill, if it is all right with the gentleman.

This Section was taken from Section 2002 of the Administrative Code, which provides that the Department has exclusive authority and jurisdiction over all state highways. The only changes made were the vesting of the authority in the Secretary instead of the Department, and the substitution of the words "all the facilities of the state highway system for all state highways."

Mr. HELM. Is the gentleman trying to tell me that the section that I have referred to, Section 404, giving him exclusive jurisdiction over highways, does not give him power over Forests and Waters highways, or through the state parks or recreation areas or the railroad crossings that would normally come under the jurisdiction of the Public Utility Commission?

Mr. COMER. Mr. Speaker, there is certain authority that I believe the Secretary should have pertaining to certain parts of highways and certain occasions that arise. As we glance through this bill, if the gentleman will go along with me, this bill as originally constructed, section after section, after you read over a few of them you wonder what you are reading. So, taking a bad bill, and I admit it was a bad bill, holding two hearings and approximately three committee meetings with suggestions from different members, we tried to make something that was absolutely impossible to work with into a fair bill.

Mr. HELM. Mr. Speaker, I want to say to the gentleman that I have no criticism to offer of the Chairman of the Committee, and I have no criticism to offer of the members of that Committee because I believe they have devoted a lot of time and a lot of effort to this bill. In fact, I had been informed that one committee hearing, I think they said, was something like nine hours. I believe they are to be commended for devoting all that time, but in spite of all that effort I think I have proven by the little bit of interrogation that I have made here now that even the Chairman who probably has been closer to this bill than any other person in this House is not sure of what is in the bill. I have many, many other questions that I would like to ask concerning it but I believe it is only going to becloud the issue further.

I say to you Mr. Speaker, that this bill gives additional dictatorial powers to one department of our state government that has had dictatorial powers for many, many years. I, personally, hesitate to add any more power to that one office. We in this Legislature should be taking some of the control of that highway department into our own hands rather than give them additional powers.

Just to show you how silly a thing it is, I would like to point to one section concerning public utilities. If poles of the public utility are located on the highway right-of-way, say, on Second Street in Harrisburg on the right-hand side of the street, in order to put on a wire that crosses over the top of that street to every house on the other side of Second Street, would require

a special permit, a separate permit, if you please, for every cross over. I say to you that the Secretary of Highways would have the power almost to put any public utility, electric, water, gas or otherwise completely out of business if he so desired. That is entirely too much power to place in the hands of any one individual.

I am not going to delay the House with all the questions that I have here. I have many pages of questions concerning the bill. But I plead with the Chairman of the Committee not to force this bill to a vote today but to hold it up at least until he understands it, and I am sure that we Members of the House want to understand it.

Mr. COMER. I agree with the gentleman from Armstrong, Mr. Helm, that this bill is quite lengthy and there are many sections that take time to finger through to reach a section in regard to the question that is raised.

The last question Mr. Helm raised I believe he is in error as far as the permits for the utilities are concerned. This point was raised at one of our meetings with the Highway Department. I was aware of the conditions that were in the bill due to the fact that in our electrical systems today many are being changed over from 120 volt systems to 240 volt systems, requiring an extra hot wire being run across the street or a roadway. I raised the point with the Secretary under this bill, would the utilities be required to take a permit out to run an additional wire across the roadway or street, and I was informed no.

Now, I would like Mr. Speaker, if the gentleman would point out that section. I have not come across it yet where it spells it out as such.

Mr. HELM. Will the gentleman turn to page 58 of the bill, Article XV, Section 1502? Permits for Utilities Facilities, (a) the consent of the secretary evidenced by a permit shall be required in advance of any of the following: (1) Construction or removal of utility facilities longitudinal to and transverse with, in, on or over a highway." Mr. Speaker, it cannot be any plainer. It could not possibly be worded any plainer than it is in line 3 on page 59.

Mr. COMER. Well, Mr. Speaker, in answer to the gentleman's question, if you went through this Section that you are speaking about where it deals with new construction, of course, and I will agree with the gentleman, it does not spell out new construction, but we are led to believe, including myself, that where additional lines would be run that no permit would be required. Now, that is the best answer I can give the gentleman on that question.

Mr. HELM. I think the gentleman is correct. He was led to believe that, but the wording in the bill does not so state. The wording in the bill says, "Construction or removal of utility facilities." And it says that "They shall be evidenced by a permit issued by the Secretary."

Mr. COMER. Mr. Speaker, if I may suggest then because due to the fact that many hours were spent on this bill, that the bill be passed over, and I will certainly be glad to sit down with the gentleman on the other side and work out corrective amendments.

Mr. HELM. I thank the gentleman.

The SPEAKER. The Chair will entertain the motion to place this bill upon the postponed calendar.



On the question, recurring,  
Shall the bill pass finally?

### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

### APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

#### NAYS—0

#### NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

#### NAYS—0

#### NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194			
Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korna, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann,	McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Murray, H. P., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovansek, Royer,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker

NAYS—2			
Auker,	Holliday,		
NOT VOTING—12			
Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.  
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195			
Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korna, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty,	McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley,	Rovansek, Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker

NAYS—1			
Worley,			
NOT VOTING—12			
Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1747, entitled:



An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frank,	McCormack,	Rudisill,
Anderson,	Frascella,	McDonald,	Sakulsky,
Arlene,	Fulmer,	McInroy,	Scarcelli,
Auker,	Galley,	McKeever,	Schaaf,
Balthaser,	Gallagher,	McLaughlin,	Schuster,
Barton,	Garlock,	Machmer,	Schwartz,
Bell,	Gelfand,	Magee,	Seltzer,
Blair,	George,	Mahan,	Sherman,
Boles,	Gibb,	Markley,	Shupnik,
Bonner,	Goldstein,	Maxwell,	Silverman,
Boris,	Goodrich,	Meholchick,	Snider,
Bower,	Gramlich,	Mihm,	Stank,
Branca,	Guthrie,	Miller, B. Z.,	Steckel,
Brenninger,	Hamilton,	Miller, H. G.,	Stevens,
Breth,	Heavey,	Mills,	Stewart,
Brown,	Heffner,	Monroe,	Stimmel,
Buchanan,	Helm,	Muldowney,	Stone,
Burns,	Henzel,	Mullen,	Stoner,
Capano,	Holliday,	Munley,	Strausser,
Capitolo,	Holt,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Horst,	Murphy, P. J.,	Taylor,
Cioffi,	Irviss,	Murray, H. P.,	Trusio,
Clarke,	Isaacs,	Murray, J. J.,	Ujobal,
Comer,	Jenkins,	Musto,	Varallo,
Crossin,	Jim,	Naugle,	Varner,
Curwood,	Johnson, A. W.,	Needham,	Verona,
Davis,	Johnson, R.,	Nelson,	Wall,
Dengler,	Jones, F. R.,	O'Donnell, J. A.,	Walsh,
Dennis,	Kamyk,	O'Donnell, J. P.,	Wargo,
Dennison,	Kee,	Odorisio,	Weldner,
Devlin,	Kernaghan,	O'Neil,	Welsh,
Donahue,	Kessler,	Parlante,	Wescott,
Donaldson,	Kooker,	Pashley,	Wheeler,
Dougherty,	Kornick,	Perry, H. H.,	Whittaker,
Down,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Edwards,	Kovolenko,	Petrosky,	Williams, E. S.,
Ellberg,	Kubitsky,	Polaski,	Willard,
Eshback,	Lamb,	Polen,	Willaredt,
Eshleman,	Lee, A. M.,	Prendergast,	Wilt,
Ewing,	Lee, K. B.,	Price,	Wood,
Farabaugh,	Leonard,	Pursley,	Worley,
Fetterolf,	Limper,	Reibman,	Wynd,
Filo,	Lippincott,	Reldenbach,	Yatron,
Fineman,	Lopresti,	Renwick,	Yetter,
Floyd,	Lulgard,	Rigby,	Zimmerman,
Flynn,	Lutty,	Riley,	
Foerster,	McCandless,	Rovansek,	
Fox,	McCann,	Royer,	

## NAYS—6

Bowman,	Jones, T. H. W.,	Ogilvie,	Tompkins,
Hocker,	Kelser,		

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Barton,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cioffi,	Irviss,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobal,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Johnson, R.,	Needham,	Varner,
Dengler,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weldner,
Donaldson,	Kernaghan,	O'Neil,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Ellberg,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reldenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Lulgard,	Rigby,	Andrews,
Fox,	Lutty,	Riley,	Zimmerman,
Frank,	McCandless,	Rovansek,	Speaker

## NAYS—1

Auker,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Gailey,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Rovanse,	
Fox,	McCandless,		
Frank,			

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood Control purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Gailey,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, J. J.,	Tompkins,
Clarke,	Jenkins,	Murray, H. P.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,		
Fox,	McCandless,		
Frank,			

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forest and Waters for the development of Erie Harbor and land adjacent thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Bessel Research.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer.
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvia,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoriso,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D. Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty seven (P. L. 1987), and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvia,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoriso,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D. Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovanse,	
Frank,			Andrews, Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovanse,	
Frank,			Andrews, Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boies,	Goldstein,	Mihm,	Sherman,
Bonner,	Goodrich,	Mahan,	Shupnik,
Boris,	Gramlich,	Markley,	Silverman,
Bower,	Guthrie,	Maxwell,	Snider,
Bowman,	Hamilton,	Meholchick,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Truslo,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoriso,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.\*

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boies,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Truslo,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoriso,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnar,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	O'Dorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Weish,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnar,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	O'Dorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Weish,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varnar,
Curwood,	Johnson, R.,	Needham,	Varallo,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Lulgard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			Andrews, Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnar,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Lulgard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			Andrews, Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoriso,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			Andrews,
			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoriso,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			Andrews,
			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Anderson,	Frascella,	McCann,	Royer,
Agnew,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Training School at Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heffner,	Miller, B. Z.,	Steckel,
Brenninger,	Helm,	Miller, H. G.,	Stevens,
Breth,	Heavey,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Andrews,  
Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Andrews,  
Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Jenkins,	Naugle,	Varallo,
Curwood,	Johnson, A. W.,	Needham,	Varner,
Davis,	Johnson, R.,	Nelson,	Verona,
Dengler,	Jones, F. R.,	O'Donnell, J. A.,	Wall,
Dennis,	Jones, T. H. W.,	O'Donnell, J. P.	Walsh,
Dennison,	Kamyk,	Odorisio,	Wargo,
Devlin,	Kee,	Ogilvie,	Weidner,
Donahue,	Keiser,	O'Neil,	Welsh,
Donaldson,	Kernaghan,	Parlante,	Wescott,
Dougherty,	Kessler,	Pashley,	Wheeler,
Down,	Kooker,	Perry, H. H.,	Whittaker,
Edwards,	Kornick,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Korns,	Petrosky,	Williams, E. S.,
Eshback,	Kovolenko,	Polaski,	Willard,
Eshleman,	Kubitsky,	Polen,	Willaredt,
Ewing,	Lamb,	Prendergast,	Wilt,
Farabaugh,	Lee, A. M.,	Price,	Wood,
Fetterolf,	Lee, K. B.,	Pursley,	Worley,
Filo,	Leonard,	Reibman,	Wynd,
Fineman,	Limper,	Reidenbach,	Yatron,
Floyd,	Lippincott,	Renwick,	Yetter,
Flynn,	Lopresti,	Rigby,	Zimmerman,
Foerster,	Luigard,	Riley,	
Fox,	Lutty,	Rovansek,	
Frank,	McCandless,		

Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jim,	Murray, J. J.,	Trusio,
Comer,	Jenkins,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eilberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boies,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heffner,	Miller, B. Z.,	Steckel,
Brenninger,	Heavey,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irviz,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Andrews,  
Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boies,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irviz,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Andrews,  
Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Fox,	McCormack,	Royer,
Anderson,	Frank,	McDonald,	Rudisill,
Arlene,	Frascella,	McInroy,	Sakulsky,
Balthaser,	Galley,	McKeever,	Scarcelli,
Barton,	Gallagher,	McLaughlin,	Schaaf,
Bell,	Garlock,	Machmer,	Schuster,
Blair,	Gelfand,	Magee,	Schwartz,
Boles,	George,	Mahan,	Sherman,
Bonner,	Gibb,	Maxwell,	Shupnik,
Boris,	Goldstein,	Meholchick,	Silverman,
Bower,	Goodrich,	Merry,	Snider,
Bowman,	Gramlich,	Miller, B. Z.,	Stank,
Branca,	Guthrie,	Miller, H. G.,	Stevens,
Brenninger,	Hamilton,	Mills,	Stewart,
Breth,	Heavey,	Monroe,	Stone,
Brown,	Heffner,	Muldowney,	Stoner,
Buchanan,	Helm,	Mullen,	Strausser,
Burns,	Henzel,	Munley,	Stroup,
Capano,	Holt,	Murphy, A. J., Jr.	Taylor,
Capitolo,	Irvis,	Murphy, P. J.,	Tompkins,
Cianfrani,	Jenkins,	Murray, H. P.,	Trusio,
Cioffi,	Jim,	Murray, J. J.,	Ujobai,
Clarke,	Johnson, A. W.,	Musto,	Varallo,
Comer,	Johnson, R.,	Naugle,	Varner,
Crossin,	Jones, F. R.,	Needham,	Verona,
Curwood,	Jones, T. H. W.,	Nelson,	Wall,
Dengler,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennis,	Kee,	O'Donnell, J. P.	Wargo,
Dennison,	Kernaghan,	Odorisio,	Weidner,
Devlin,	Kessler,	Ogilvie,	Welsh,
Donahue,	Kooker,	O'Neill,	Wescott,
Donaldson,	Kornick,	Parlante,	Wheeler,
Dougherty,	Korna,	Pashley,	Whittaker,
Down,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Edwards,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ellberg,	Lamb,	Petrosky,	Willard,
Eshback,	Lee, A. M.,	Polaski,	Willaredt,
Eshleman,	Lee, K. B.,	Polen,	Wilt,
Ewing,	Leonard,	Prendergast,	Worley,
Farabaugh,	Limper,	Pursley,	Wynd,
Fetterolf,	Lippincott,	Reibman,	Yatron,
Flo,	Lopresti,	Reidenbach,	Yetter,
Fineman,	Luigard,	Renwick,	Zimmerman,
Floyd,	Lutty,	Rigby,	
Flynn,	McCandless,	Riley,	Andrews,
Foerster,	McCann,	Rovansek,	Speaker

NAYS—14

Auker,	Holliday,	Markley,	Steckel,
Davis,	Horst,	Price,	Stimmel,
Fulmer,	Isaacs,	Seltzer,	Wood,
Hocker,	Kelser,		

NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Mihm,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,	Fox,	McCormack,	Royer,
Anderson,	Frank,	McDonald,	Rudisill,
Arlene,	Frascella,	McInroy,	Sakulsky,
Balthaser,	Galley,	McKeever,	Scarcelli,
Barton,	Gallagher,	McLaughlin,	Schaaf,
Bell,	Garlock,	Machmer,	Schuster,
Blair,	Gelfand,	Magee,	Schwartz,
Boles,	George,	Mahan,	Sherman,
Bonner,	Gibb,	Maxwell,	Shupnik,
Boris,	Goldstein,	Meholchick,	Silverman,
Bower,	Goodrich,	Merry,	Snider,
Bowman,	Gramlich,	Miller, B. Z.,	Stank,
Branca,	Guthrie,	Miller, H. G.,	Stevens,
Brenninger,	Hamilton,	Mills,	Stewart,
Breth,	Heavey,	Monroe,	Stone,
Brown,	Heffner,	Muldowney,	Stoner,
Buchanan,	Helm,	Mullen,	Strausser,
Burns,	Henzel,	Munley,	Stroup,
Capano,	Holt,	Murphy, A. J., Jr.	Taylor,
Capitolo,	Irvis,	Murphy, P. J.,	Tompkins,
Cianfrani,	Jenkins,	Murray, H. P.,	Trusio,
Cioffi,	Jim,	Murray, J. J.,	Ujobai,
Clarke,	Johnson, A. W.,	Musto,	Varallo,
Comer,	Johnson, R.,	Naugle,	Varner,
Crossin,	Jones, F. R.,	Needham,	Verona,
Curwood,	Jones, T. H. W.,	Nelson,	Wall,
Dengler,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennis,	Kee,	O'Donnell, J. P.	Wargo,
Dennison,	Kernaghan,	Odorisio,	Weidner,
Devlin,	Kessler,	Ogilvie,	Welsh,
Donahue,	Kooker,	O'Neill,	Wescott,
Donaldson,	Kornick,	Parlante,	Wheeler,
Dougherty,	Korna,	Pashley,	Whittaker,
Down,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Edwards,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Ellberg,	Lamb,	Petrosky,	Willard,
Eshback,	Lee, A. M.,	Polaski,	Willaredt,
Eshleman,	Lee, K. B.,	Polen,	Wilt,
Ewing,	Leonard,	Prendergast,	Worley,
Farabaugh,	Limper,	Pursley,	Wynd,
Fetterolf,	Lippincott,	Reibman,	Yatron,
Flo,	Lopresti,	Reidenbach,	Yetter,
Fineman,	Luigard,	Renwick,	Zimmerman,
Floyd,	Lutty,	Rigby,	
Flynn,	McCandless,	Riley,	Andrews,
Foerster,	McCann,	Rovansek,	Speaker

NAYS—14

Auker,	Holliday,	Markley,	Steckel,
Davis,	Horst,	Price,	Stimmel,
Fulmer,	Isaacs,	Seltzer,	Wood,
Hocker,	Kelser,		

NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Mihm,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—183

Agnew,	Fox,	McCann,	Rovansek,
Anderson,	Frank,	McCorrack,	Royer,
Arlene,	Frascella,	McDonald,	Rudisill,
Balthaser,	Galley,	McInroy,	Sakulsky,
Barton,	Gallagher,	McKeever,	Scarcell,
Bell,	Garlock,	McLaughlin,	Schaaf,
Blair,	Gelfand,	Machmer,	Schuster,
Boles,	George,	Magee,	Schwartz,
Boris,	Gibb,	Mahan,	Sherman,
Bonner,	Goldstein,	Maxwell,	Shupnik,
Bower,	Goodrich,	Meholchick,	Silverman,
Bowman,	Gramlich,	Merry,	Snider,
Branca,	Guthrie,	Miller, B. Z.,	Stank,
Brenninger,	Hamilton,	Miller, H. G.,	Stevens,
Breth,	Heavey,	Mills,	Stewart,
Brown,	Heffner,	Monroe,	Stone,
Buchanan,	Helm,	Muldowney,	Stoner,
Burns,	Henzel,	Mullen,	Strausser,
Capano,	Holt,	Munley,	Stroup,
Capitolo,	Irviss,	Murphy, A. J., Jr.	Taylor,
Cianfrani,	Isaacs,	Murphy, P. J.,	Tompkins,
Cioffi,	Jenkins,	Murray, H. P.,	Trusio,
Clarke,	Jim,	Murray, J. J.,	Ujbal,
Comer,	Johnson, A. W.,	Musto,	Varallo,
Crossin,	Johnson, R.,	Naugle,	Varnier,
Curwood,	Jones, F. R.,	Needham,	Verona,
Dengler,	Jones, T. H. W.,	Nelson,	Wall,
Dennis,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennison,	Kee,	O'Donnell, J. P.	Wargo,
Devlin,	Kernaghan,	Odorisio,	Weldner,
Donahue,	Kessler,	Ogilvie,	Welsh,
Donaldson,	Kooker,	O'Neil,	Wescott,
Dougherty,	Korns,	Parlante,	Wheeler,
Down,	Kornick,	Pashley,	Whittaker,
Edwards,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Ellberg,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Eshback,	Lamb,	Petrosky,	Willard,
Eshleman,	Lee, A. M.,	Polaski,	Willaredt,
Ewing,	Lee, K. B.,	Polen,	Wilt,
Farabaugh,	Leonard,	Prendergast,	Worley,
Fetterolf,	Limper,	Pursley,	Wynd,
Filo,	Lippincott,	Reibman,	Yatron,
Fineman,	Lopresti,	Reidenbach,	Yetter,
Floyd,	Luigard,	Renwick,	Zimmerman,
Flynn,	Lutty,	Rigby,	Andrews,
Foerster,	McCandless,	Riley,	Speaker

## NAYS—13

Auker,	Holliday,	Markley,	Steckel,
Davis,	Horst,	Price,	Stimmel,
Fulmer,	Keiser,	Seltzer,	Wood,
Hocker,			

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Mihm,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. LIPPINCOTT. This interrogation, Mr. Speaker—

The SPEAKER. The interrogation, the Chair would appreciate it to be brief.

Mr. LIPPINCOTT. Well, I will be quite brief. The interrogation will concern the next three bills, if I may treat them as one bill.

Will the gentleman state the county in which the three institutions in the next three bills are located?

Mr. POLEN. They are located in Delaware County, Mr. Speaker.

Mr. LIPPINCOTT. Does the gentleman realize that the institutions, in addition to benefitting Delaware County, also benefit Philadelphia County, and the trustees that control these institutions are also appointed, I believe, by the Philadelphia courts. Does the gentleman realize that fact?

Mr. POLEN. I believe that is correct, Mr. Speaker.

Mr. LIPPINCOTT. Now is the gentleman also aware of the fact that identical bills were introduced some months prior to these bills, identical in every respect, even as to the amount of appropriation in each bill, which were cosponsored by the lady from Philadelphia, Mrs. Varallo with Members from Delaware County?

Mr. POLEN. I believe that is correct, Mr. Speaker.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I do not know who established the policy this year of providing that all appropriation bills should only be sponsored by Mr. Polen. I am sure he does not want to personally steal credit for these bills but I would like to say this, that we from Delaware County, and I know many other Members are sincerely interested in these institutions, and in this particular instance, House Bill No. 344, House Bill 842 and House Bill 1623 are identical to the bills that we are now considering. As I said, all of us are interested in these institutions. We meet with the Members of these boards and discuss their problems with them. They ask us to put these bills in. We do that. We write to them and tell them we have done so. We try to do all we can to help these institutions. It seems to me the policy we have adopted this Session is a very unfair one to Members on both sides of the aisle who are trying to benefit the institutions in their districts, and it seems to me the bills that are reported out, even though it may seem like a more orderly process to have them all listed in order by one sponsor, it seems to me we should put them in the order they are introduced and reported out as sponsored by the individuals.

Mr. McCORMACK. Mr. Speaker, I enjoy a political speech and certainly the speech made by the gentleman from Delaware County is in that category. I am wondering, inasmuch as he frequently meets with those boards, whether or not those boards have ever heard the gentleman from Delaware and his colleagues vote for the appropriations and the taxes sufficient to pay for these appropriations. I think that it is a good idea for the Chairman of the Appropriations Committee to sponsor the appropriation bills affecting these and all the other institutions that are presently on the calendar, but I think it is not fair for the gentleman from Delaware to make a speech like that with the knowledge that the

entire Delaware County delegation voted against the tax measures.

Mr. LIPPINCOTT. Mr. Speaker, as I said previously, these bills were cosponsored and I might also point out that we from Delaware County voted for a great many taxes in this tax package. We did not vote for new taxes but we voted for a great many taxes which I think are sufficient to pay for these bills.

#### Mr. HELM IN THE CHAIR

Mr. ISAACS. Mr. Speaker, I would like to remind the gentleman from Philadelphia, Mr. McCormack, that in the '56 session of the General Assembly he did not vote for one tax bill.

The SPEAKER pro tempore. The Chair would remind all the Members of the House that we are discussing House Bill 1778, Printer's No. 1445. Confine your remarks to the bill.

Mr. ISAACS. I would like to the remind the Speaker that the gentleman from Delaware knew he was out of order and it is all right that you call my attention to it. But when we come down to a gentleman like the gentleman from Philadelphia, Mr. McCormack, making the remarks he did, that in the last Session we did not vote for a tax bill.

The SPEAKER pro tempore. The Chair reminds the gentleman that he is out of order also.

#### POINT OF ORDER

Mr. McCORMACK. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Merely to say, Mr. Speaker, that I never endorsed or never sponsored any appropriation bills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, P. J.,	Stroup,
Cianfrani,	Irvins,	Murphy, A. J., Jr.	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujober,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, P. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,

Down,  
Edwards,  
Ellberg,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,

Kornick,  
Korna,  
Kovolenko,  
Kubitsky,  
Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Limper,  
Lippincott,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,  
Rovanse,

Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willard,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

#### NAYS—0

#### NOT VOTING—12

Ashton,  
Cooper,  
Jump,

Knecht,  
Light,  
Merry,

Moran,  
Murray, P. G.,  
O'Dell,

Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1779, entitled:

An Act making an appropriation to the Glen Mills School in Delaware County Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvins,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujober,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,



Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanse,	Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman,	Frascella, Fulmer, Gailey, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Heim, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Milhm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, P. E., Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron,
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Floyd, Flynn, Foerster, Fox, Frank,	Lopresti, Luigard, Lutty, McCandless,	Renwick, Rigby, Riley, Rovanse,	Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN. Mr. Speaker, I would like to have permission for the gentleman from Cambria, Mr. Farabaugh, to offer the amendments of which they have a copy in their possession.

Mr. Speaker, after the amendments are accepted and put in the bill, for the purpose of the record, the bill will be voted on tomorrow and passed in this House as soon as it is here in print.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FARABAUGH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "several fire companies of the."

Amend Sec. 1, page 1, lines 2 and 3, by striking out "for the several fire companies of" and inserting "to."

Amend Sec. 1, page 2, lines 1 and 2, by striking out "Said sum to be distributed among said companies in equal amounts."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frank,	McCandless,	Rovansek,
Anderson,	Frascella,	McCann,	Royer,
Arlene,	Fulmer,	McCormack,	Rudisill,
Auker,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Barton,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cioffi,	Irvls,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobal,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Jones, F. R.,	Needham,	Varnier,
Dengler,	Johnson, R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weldner,
Donaldson,	Kernaghan,	O'Neill,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Elberg,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Fillo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Luigard,	Rigby,	Zimmerman,
Fox,	Lutty,	Riley,	Andrews,

Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Fillo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	Andrews,
Frank,	McCandless,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	O'Dorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans assistance.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	O'Dorisio,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irviss,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korna,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Isaacs,	Murray, H. P.,	Taylor,
Cioffi,	Irviss,	Murray, J. J.,	Tompkins,
Clarke,	Jenkins,	Murphy, P. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korna,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2225, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to counties and cities for juvenile delinquency programs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—180

Agnew,	Foerster,	McCann,	Rovansek,
Anderson,	Fox,	McCormack,	Royer,
Arlene,	Frank,	McDonald,	Rudisill,
Balthaser,	Frascella,	McInroy,	Sakulsky,
Barton,	Galley,	McKeever,	Scarcelli,
Bell,	Gallagher,	McLaughlin,	Schaaf,
Blair,	Garlock,	Machmer,	Schuster,
Boles,	Gelfand,	Magee,	Schwartz,
Bonner,	George,	Mahan,	Sherman,
Boris,	Gibb,	Maxwell,	Shupnik,
Bower,	Goldstein,	Meholchick,	Silverman,
Bowman,	Goodrich,	Merry,	Snider,
Branca,	Gramlich,	Miller, B. Z.,	Stank,
Brenninger,	Guthrie,	Miller, H. G.,	Stevens,
Breth,	Hamilton,	Mills,	Stewart,
Brown,	Heavey,	Monroe,	Stone,
Buchanan,	Heffner,	Muldowney,	Stoner,
Burns,	Helm,	Mullen,	Strausser,
Capano,	Henzel,	Munley,	Stroup,
Capitolo,	Holt,	Murphy, A. J., Jr.,	Taylor,
Cianfrani,	Irvls,	Murphy, P. J.,	Tompkins,
Cioffi,	Jenkins,	Murray, H. P.,	Trusio,
Clarke,	Jim,	Murray, J. J.,	Ujobal,
Comer,	Johnson, A. W.,	Musto,	Varallo,
Crossin,	Johnson, R.,	Naugle,	Varnier,
Curwood,	Jones, F. R.,	Needham,	Verona,
Dengler,	Jones, T. H. W.,	Nelson,	Wall,
Dennis,	Kamyk,	O'Donnell, J. A.,	Walsh,
Dennison,	Kee,	O'Donnell, J. P.,	Wargo,
Devlin,	Kernaghan,	Odoriso,	Weidner,
Donahue,	Kessler,	O'Neil,	Welsh,
Donaldson,	Kooker,	Parlante,	Wescott,
Dougherty,	Kornick,	Pashley,	Wheeler,
Down,	Kovolenko,	Perry, H. H.,	Whittaker,
Edwards,	Kubitsky,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Lamb,	Petrosky,	Williams, E. S.,
Eshback,	Lee, A. M.,	Polaski,	Willard,
Eshleman,	Lee, K. B.,	Polen,	Willaredt,
Ewing,	Leonard,	Prendergast,	Wilt,
Farabaugh,	Limper,	Pursley,	Worley,
Fetterolf,	Lippincott,	Reibman,	Wynd,
Filo,	Lopresti,	Reidenbach,	Yatron,
Fineman,	Lulgard,	Renwick,	Yetter,
Floyd,	Lutty,	Rigby,	Zimmerman,
Flynn,	McCandless,	Riley,	Andrews,

Speaker

## NAYS—16

Auker,	Holliday,	Korns,	Seltzer,
Davis,	Horst,	Markley,	Steckel,
Fulmer,	Isaacs,	Ogilvie,	Stimmel,
Hocker,	Kelser,	Price,	Wood,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Mihm,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—175

Agnew,	Flynn,	McCormack,	Rovansek,
Anderson,	Foerster,	McDonald,	Royer,
Arlene,	Frank,	McInroy,	Rudisill,
Auker,	Frascella,	McKeever,	Sakulsky,
Balthaser,	Galley,	McLaughlin,	Scarcelli,
Barton,	Gallagher,	Machmer,	Schaaf,
Bell,	Garlock,	Magee,	Schuster,
Blair,	Gelfand,	Markley,	Schwartz,
Boles,	Gibb,	Maxwell,	Sherman,
Bonner,	Goldstein,	Meholchick,	Shupnik,
Boris,	Goodrich,	Mihm,	Silverman,
Bower,	Gramlich,	Miller, B. Z.,	Snider,
Bowman,	Guthrie,	Miller, H. G.,	Stank,
Branca,	Hamilton,	Mills,	Steckel,
Brenninger,	Heavey,	Monroe,	Stevens,
Breth,	Heffner,	Muldowney,	Stewart,
Brown,	Helm,	Mullen,	Stimmel,
Buchanan,	Henzel,	Munley,	Stone,
Burns,	Holt,	Murphy, A. J., Jr.,	Stoner,
Capano,	Irvls,	Murphy, P. J.,	Strausser,
Capitolo,	Jenkins,	Murray, H. P.,	Taylor,
Cianfrani,	Jim,	Murray, J. J.,	Trusio,
Cioffi,	Johnson, R.,	Musto,	Ujobal,
Clarke,	Jones, F. R.,	Naugle,	Varallo,
Comer,	Jones, T. H. W.,	Needham,	Varnier,
Crossin,	Kamyk,	Nelson,	Verona,
Curwood,	Kee,	O'Donnell, J. A.,	Wall,
Dengler,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Dennis,	Kessler,	Odoriso,	Wargo,
Dennison,	Kooker,	O'Neil,	Weidner,
Devlin,	Kornick,	Parlante,	Welsh,
Donahue,	Kovolenko,	Pashley,	Wescott,
Donaldson,	Kubitsky,	Perry, H. H.,	Wheeler,
Dougherty,	Lamb,	Perry, P. E.,	Whittaker,
Edwards,	Lee, A. M.,	Petrosky,	Williams, A. D., Jr.,
Elberg,	Lee, K. B.,	Polaski,	Williams, E. S.,
Eshback,	Leonard,	Polen,	Willard,
Eshleman,	Limper,	Prendergast,	Willaredt,
Ewing,	Lippincott,	Pursley,	Wilt,
Farabaugh,	Lopresti,	Reibman,	Yatron,
Fetterolf,	Lulgard,	Reidenbach,	Yetter,
Filo,	Lutty,	Renwick,	Zimmerman,
Fineman,	McCandless,	Rigby,	Andrews,
Floyd,	McCann,	Riley,	Speaker

## NAYS—21

Davis,	Holliday,	Korns,	Stroup,
Down,	Horst,	Mahan,	Tompkins,
Fox,	Isaacs,	Ogilvie,	Wood,
Fulmer,	Johnson, A. W.,	Price,	Worley,
George,	Kelser,	Seltzer,	Wynd,
Hocker,			

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelll,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Elberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Worley,
Fetterolf,	Leonard,	Pursley,	Wynd,
Filo,	Limper,	Reibman,	Yatron,
Fineman,	Lippincott,	Reidenbach,	Yetter,
Floyd,	Lopresti,	Renwick,	Zimmerman,
Flynn,	Lulgard,	Rigby,	
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—182

Agnew,	Fox,	McCormack,	Royer,
Anderson,	Frank,	McDonald,	Rudisill,
Arlene,	Frascella,	McInroy,	Sakulsky,
Balthaser,	Galley,	McKeever,	Scarcelll,
Barton,	Gallagher,	McLaughlin,	Schaaf,
Bell,	Garlock,	Machmer,	Schuster,
Blair,	Gelfand,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Sherman,
Bonner,	Goldstein,	Maxwell,	Shupnik,
Boris,	Goodrich,	Markley,	Silverman,
Bower,	Gramlich,	Meholchick,	Snider,
Bowman,	Guthrie,	Mihm,	Stank,
Branca,	Hamilton,	Miller, B. Z.,	Steckel,
Brenninger,	Heavey,	Miller, H. G.,	Stevens,
Breth,	Heffner,	Mills,	Stewart,
Brown,	Helm,	Monroe,	Stimmel,
Buchanan,	Henzel,	Muldowney,	Stone,
Burns,	Holt,	Munley,	Stoner,
Capano,	Irvis,	Murphy, A. J., Jr.,	Strausser,
Capitolo,	Isaacs,	Murphy, P. J.,	Stroup,
Cianfrani,	Jenkins,	Murray, H. P.,	Taylor,
Cioffi,	Jim,	Murray, J. J.,	Trusio,
Clarke,	Johnson, A. W.,	Musto,	Ujobal,
Comer,	Johnson, R.,	Naugle,	Varallo,
Crossin,	Jones, F. R.,	Needham,	Varnier,
Curwood,	Jones, T. H. W.,	Nelson,	Verona,
Dengler,	Kamyk,	O'Donnell, J. A.,	Wall,
Dennis,	Kee,	O'Donnell, J. P.,	Walsh,
Dennison,	Kernaghan,	Odorisio,	Wargo,
Devlin,	Kessler,	O'Neill,	Weldner,
Donahue,	Kooker,	Parlante,	Welsh,
Donaldson,	Kornick,	Pashley,	Wescott,
Dougherty,	Korns,	Perry, H. H.,	Wheeler,
Down,	Kovolenko,	Perry, P. E.,	Whittaker,
Edwards,	Kubitsky,	Petrosky,	Williams, A. D., Jr.,
Elberg,	Lamb,	Polaski,	Williams, E. S.,
Eshback,	Lee, A. M.,	Polen,	Willard,
Eshleman,	Lee, K. B.,	Prendergast,	Willaredt,
Ewing,	Leonard,	Price,	Wilt,
Farabaugh,	Limper,	Pursley,	Worley,
Fetterolf,	Lippincott,	Reibman,	Yatron,
Filo,	Lopresti,	Reidenbach,	Yetter,
Fineman,	Luigard,	Renwick,	Zimmerman,
Floyd,	Lutty,	Rigby,	
Flynn,	McCandless,	Riley,	
Foerster,	McCann,	Rovansek,	

## NAYS—14

## NOT VOTING—12

Auker,	Hocker,	Ogilvie,	Tompkins,
Davis,	Holliday,	Price,	Wood,
Fulmer,	Horst,	Seltzer,	Wynd,
George,	Kelser,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcell,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Mehoichick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odoorislo,	Wargo,
Devlin,	Keiser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Weish,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Reibman,	Wood,
Fetterolf,	Leonard,	Reidenbach,	Worley,
Filo,	Limper,	Price,	Wynd,
Fineman,	Lippincott,	Pursley,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Lulgard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	Andrews,
Frank,			Speaker

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2230, entitled:

An Act making an appropriation to the Department of Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. HOCKER. I would like to ask someone on the other side: This pertains to Department of Public Instruction to implement a program of Community colleges. We have a bill on our calendar right now setting up these colleges. What happens if we pass this and then do not pass the community college bill?

Mr. POLEN. Mr. Speaker, the bill would be vetoed in that event. If the enabling bill was not passed, the appropriation bill would be voted.

Mr. HOCKER. Mr. Speaker, I would ask that the bill go over until we find out whether or not we pass the community college bill on our calendar.

Mr. McCANN. There was no indication yesterday, except for the one bill pertaining to the fire companies of city councils and the bill that Mr. Johnson amended pertaining to Pennsylvania State University. That bill of course is on final passage postponed. This bill for this appropriation should pass today with the package of the appropriation bills going over, and I do ask that you permit the passage of this bill today along with all the others because I made a commitment on the Harrisburg bill that tomorrow it passes in this House. That commitment will be fulfilled as soon as the bill is in print. I would like to have all the bills in one package over there, which was agreed to following the conferences.

Mr. HOCKER. Do you intend, Mr. Speaker, running the community college bill tomorrow?

Mr. McCANN. Mr. Speaker, it is my intention to run it tomorrow. I certainly hope we can get to it. I believe we have about 18 bills on special order of business, and two are those bills, 1940 and 1941, are the bills on higher education and community colleges. These two bills were in that order and would be run tomorrow.

Mr. HOCKER. Well, if they are going to run tomorrow I will still insist that this bill be passed over and travel with those bills and the Harrisburg bill.

## BILL PASSED OVER

There being no objection

House Bill No. 2230, Printer's No. 1469 was passed over at the request of Mr. HOCKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2231, entitled:

An Act making an appropriation to the Department of Public Instruction to provide grants for improving library services throughout the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—185

Agnew,	Frascella,	McInroy,	Rudisill,
Anderson,	Galley,	McKeever,	Sakulsky,
Arlene,	Gallagher,	McLaughlin,	Scarcell,
Balthaser,	Garlock,	Machmer,	Schaaf,
Barton,	Gelfand,	Magee,	Schuster,
Bell,	George,	Mahan,	Schwartz,
Blair,	Gibb,	Markley,	Seltzer,
Boles,	Goldstein,	Maxwell,	Sherman,
Bonner,	Goodrich,	Mehoichick,	Shupnik,
Boris,	Gramlich,	Mihm,	Silverman,
Bower,	Guthrie,	Miller, B. Z.,	Snider,
Bowman,	Hamilton,	Miller, H. G.,	Stank,
Branca,	Heavey,	Mills,	Steckel,
Brenninger,	Heffner,	Monroe,	Stevens,
Breth,	Helm,	Muldowney,	Stewart,
Brown,	Henzel,	Mullen,	Stimmel,
Buchanan,	Holt,	Munley,	Stone,
Burns,	Irvis,	Murphy, A. J., Jr.,	Stoner,
Capano,	Isaacs,	Murphy, P. J.,	Strausser,
Capitolo,	Jenkins,	Murray, H. P.,	Stroup,

Cianfrani,	Jim,	Murray, J. J.,	Taylor,
Cioffi,	Johnson, A. W.,	Musto,	Trusio,
Clarke,	Johnson, R.,	Naugle,	Ujobal,
Comer,	Jones, F. R.,	Needham,	Varallo,
Crossin,	Jones, T. H. W.,	Nelson,	Varnier,
Curwood,	Kamyk,	O'Donnell, J. A.,	Verona,
Dengler,	Kee,	O'Donnell, J. P.,	Wall,
Dennis,	Kernaghan,	Odorisio,	Walsh,
Dennison,	Kessler,	O'Neill,	Wargo,
Devlin,	Kooker,	Parlante,	Weldner,
Donahue,	Kornick,	Pashley,	Welsh,
Donaldson,	Korns,	Perry, H. H.,	Wescott,
Dougherty,	Kovolenko,	Perry, P. E.,	Wheeler,
Edwards,	Kubitsky,	Petrosky,	Whittaker,
Elberg,	Lamb,	Polaski,	Williams, A. D., Jr.,
Eshback,	Lee, A. M.,	Polen,	Williams, E. S.,
Eshleman,	Lee, K. B.,	Prendergast,	Willard,
Ewing,	Leonard,	Price,	Willaredt,
Farabaugh,	Limper,	Pursley,	Wilt,
Fetterolf,	Lippincott,	Reibman,	Worley,
Filo,	Lopresti,	Reidenbach,	Wynd,
Fineman,	Lulgard,	Renwick,	Yatron,
Floyd,	Lutty,	Rigby,	Yetter,
Flynn,	McCandless,	Riley,	Zimmerman,
Foerster,	McCann,	Rovansek,	
Fox,	McCormack,	Royer,	
Frank,	McDonald,		Andrews,
			Speaker

## NAYS—11

Auker,	Fulmer,	Horst,	Tompkins,
Davis,	Hocker,	Kelser,	Wood,
Down,	Holliday,	Ogilvie,	

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

On the question,

Will the House agree to the bill on third reading?

Mr. AUKER. Mr. Speaker, I would like to interrogate Mr. Polen, if I may.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AUKER. I would like to ask the gentleman if this money comes out of the general fund. Suppose I phrase the question another way. There is \$3,145,073, is that right?

Mr. POLEN. That is correct. It does come out of the general fund.

Mr. AUKER. Now is this same money that is returned to the Department of Forests and Waters out of the income derived by the state from oil wells, and gas wells and sale of timber from state-owned land?

Mr. POLEN. It is not, Mr. Speaker.

Mr. AUKER. In other words this is new money.

Mr. POLEN. It is, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would ask that this bill go over until we can have a full house, or I will ask for a quorum call.

## BILL PASSED OVER

There being no objection

House Bill No. 2305, Printer's No. 1471 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Barton,	Garlock,	Machmer,	Schaaf,
Bell,	Gelfand,	McKeever,	Schuster,
Blair,	George,	McLaughlin,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cioffi,	Irvis,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobal,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Johnson, R.,	Needham,	Varnier,
Dengler,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weldner,
Donaldson,	Kernaghan,	O'Neill,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Elberg,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Lulgard,	Rigby,	Zimmerman,
Fox,	Lutty,	Riley,	Andrews,
Frank,	McCandless,	Rovansek,	Speaker

## NAYS—1

Auker,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Frank,	McCandless,	Rovansek,
Anderson,	Frascella,	McCann,	Royer,
Arlene,	Fulmer,	McCormack,	Rudisill,
Auker,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Barton,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strusser,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cioffi,	Irvis,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobal,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Johnson, R.,	Needham,	Varner,
Dengler,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weldner,
Donaldson,	Kernaghan,	O'Neil,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Ellberg,	Korns,	Perry, P. E.,	Williams, A. D. Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Pojaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Wynd,
Fineman,	Limper,	Reibman,	Yatron,
Floyd,	Lippincott,	Reidenbach,	Yetter,
Flynn,	Lopresti,	Renwick,	Zimmerman,
Foerster,	Luigard,	Rigby,	Andrews,
Fox,	Lutty,	Riley,	Speaker

## NAYS—1

Worley,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strusser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvis,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D. Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Pojaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	Andrews,
Fox,	McCandless,	Rovansek,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Frank,	McCandless,	Rovansek,
Anderson,	Frascella,	McCann,	Royer,
Arlene,	Fulmer,	McCormack,	Rudisill,
Auker,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelll,
Barton,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Stroup,
Cioffi,	Irvs,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobai,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Johnson, R.,	Needham,	Varner,
Dengler,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weidner,
Donaldson,	Kernaghan,	O'Neil,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Ellberg,	Korna,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Luigard,	Rigby,	Zimmerman,
Fox,	Lutty,	Riley,	Andrews,
			Speaker

## NAYS—1

Worley,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning or capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelll,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvs,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donahue,	Kernaghan,	O'Neil,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korna,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	Andrews,
Fox,	McCandless,	Rovansek,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Frascella,	McCandless,	Rovansek,
Anderson,	Foerster,	McCann,	Royer,
Arlene,	Fulmer,	McCormack,	Rudisill,
Auker,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Barton,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cioffi,	Irviss,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobal,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Johnson, R.,	Needham,	Varnier,
Dengler,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weldner,
Donaldson,	Kernaghan,	O'Neil,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Eilberg,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Fox,	Lulgard,	Rigby,	Zimmerman,
Frank,	Lutty,	Riley,	Andrews,
			Speaker

## NAYS—1

Worley,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Balthaser,	Gallagher,	McInroy,	Scarcelli,
Barton,	Garlock,	McKeever,	Schaaf,
Bell,	Gelfand,	McLaughlin,	Schuster,
Blair,	George,	Machmer,	Schwartz,
Boles,	Gibb,	Magee,	Seltzer,
Bonner,	Goldstein,	Mahan,	Sherman,
Boris,	Goodrich,	Markley,	Shupnik,
Bower,	Gramlich,	Maxwell,	Silverman,
Bowman,	Guthrie,	Meholchick,	Snider,
Branca,	Hamilton,	Mihm,	Stank,
Brenninger,	Heavey,	Miller, B. Z.,	Steckel,
Breth,	Heffner,	Miller, H. G.,	Stevens,
Brown,	Helm,	Mills,	Stewart,
Buchanan,	Henzel,	Monroe,	Stimmel,
Burns,	Hocker,	Muldowney,	Stone,
Capano,	Holliday,	Mullen,	Stoner,
Capitolo,	Holt,	Munley,	Strausser,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cioffi,	Irviss,	Murphy, P. J.,	Taylor,
Clarke,	Isaacs,	Murray, H. P.,	Tompkins,
Comer,	Jenkins,	Murray, J. J.,	Trusio,
Crossin,	Jim,	Musto,	Ujobal,
Curwood,	Johnson, A. W.,	Naugle,	Varallo,
Davis,	Johnson, R.,	Needham,	Varnier,
Dengler,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennison,	Kamyk,	O'Donnell, J. P.,	Walsh,
Devlin,	Kee,	Odorisio,	Wargo,
Donahue,	Kelser,	Ogilvie,	Weldner,
Donaldson,	Kernaghan,	O'Neil,	Welsh,
Dougherty,	Kessler,	Parlante,	Wescott,
Down,	Kooker,	Pashley,	Wheeler,
Edwards,	Kornick,	Perry, H. H.,	Whittaker,
Eilberg,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Fox,	Lulgard,	Rigby,	Zimmerman,
Frank,	Lutty,	Riley,	Andrews,
	McCandless,	Rovansek,	Speaker

## NAYS—1

Auker,

## NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STEWART. Mr. Speaker, I have two hospitals in my district; Chestnut Hill Hospital and the Germantown Hospital and Dispensary. Mrs. Miller and I submitted appropriations for these two hospitals. The present appropriation in this bill shows no increase from the last biennium. Although we are both voting for this bill, we register our protest against this.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Mehoichick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Rovanse,	
Fox,	McCandless,		
Frank,			

Andrews, Speaker

#### NAYS—0

#### NOT VOTING—12

Ashton,	Knecht,	Moran,	Snare,
Cooper,	Light,	Murray, P. G.,	Sullivan,
Jump,	Merry,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance for certain homes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STEWART. We have the Florence Crittendon Home in our district, and again our appropriations for this home are the same as last biennium. Mrs. Miller and I are voting for the bill but are registering our protest.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Mehoichick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvls,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weldner,
Donahue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,



Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Wynd, Yatron, Yetter, Zimmerman,  Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 486 on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvs, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrofsky, Polaski, Polen,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varnar, Verona, Wall, Walsh, Wargo, Welsh, Weldner, Wheeler, Whittaker, Williams, A. D. Jr., Williams, E. S., Willard, Willaredt,
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Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman,  Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebsburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebsburg State School.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boies, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvs, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrofsky, Polaski, Polen, Prendergast, Price, Pursley,	Royer, Rudisill, Sakulsky, Scarcelli, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varnar, Verona, Wall, Walsh, Wargo, Welsh, Weldner, Wheeler, Whittaker, Williams, A. D. Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley,
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Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Wynd, Yatron, Yetter, Zimmerman,  Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1157 on page 17 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Indiana State Teacher's College.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Down, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh,	Frascella, Fulmer, Gailey, Garlock, Gallagher, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B.,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odoriso, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Vallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood,
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Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Worley, Wynd, Yatron, Yetter, Zimmerman,  Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—194

Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Boies, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Gailey, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Murray, H. P., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odoriso, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Ujobal, Taylor, Tompkins, Trusio, Vallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood,  Andrews, Speaker
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## NAY—2

Auker,

Worley,

## NOT VOTING—12

Ashton,  
Cooper,  
Jump,Knecht,  
Light,  
Merry,Moran,  
Murray, P. G.,  
O'Dell,Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mul'en,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvia,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donabue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Speaker

## NAYS—0

## NOT VOTING—12

Ashton,  
Cooper  
Jump,Knecht,  
Light,  
Merry,Moran,  
Murray, P. G.,  
O'Dell,Snare,  
Sullivan,  
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2123 on page 19 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McCormack,	Rudisill,
Arlene,	Galley,	McDonald,	Sakulsky,
Auker,	Gallagher,	McInroy,	Scarcelli,
Balthaser,	Garlock,	McKeever,	Schaaf,
Barton,	Gelfand,	McLaughlin,	Schuster,
Bell,	George,	Machmer,	Schwartz,
Blair,	Gibb,	Magee,	Seltzer,
Boles,	Goldstein,	Mahan,	Sherman,
Bonner,	Goodrich,	Markley,	Shupnik,
Boris,	Gramlich,	Maxwell,	Silverman,
Bower,	Guthrie,	Meholchick,	Snider,
Bowman,	Hamilton,	Mihm,	Stank,
Branca,	Heavey,	Miller, B. Z.,	Steckel,
Brenninger,	Heffner,	Miller, H. G.,	Stevens,
Breth,	Helm,	Mills,	Stewart,
Brown,	Henzel,	Monroe,	Stimmel,
Buchanan,	Hocker,	Muldowney,	Stone,
Burns,	Holliday,	Mullen,	Stoner,
Capano,	Holt,	Munley,	Strausser,
Capitolo,	Horst,	Murphy, A. J., Jr.,	Stroup,
Cianfrani,	Irvia,	Murphy, P. J.,	Taylor,
Cioffi,	Isaacs,	Murray, H. P.,	Tompkins,
Clarke,	Jenkins,	Murray, J. J.,	Trusio,
Comer,	Jim,	Musto,	Ujobal,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varnier,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dengler,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Dennis,	Kamyk,	O'Donnell, J. P.,	Walsh,
Dennison,	Kee,	Odorisio,	Wargo,
Devlin,	Kelser,	Ogilvie,	Weidner,
Donabue,	Kernaghan,	O'Neill,	Welsh,
Donaldson,	Kessler,	Parlante,	Wescott,
Dougherty,	Kooker,	Pashley,	Wheeler,
Down,	Kornick,	Perry, H. H.,	Whittaker,
Edwards,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshback,	Kubitsky,	Polaski,	Willard,
Eshleman,	Lamb,	Polen,	Willaredt,
Ewing,	Lee, A. M.,	Prendergast,	Wilt,
Farabaugh,	Lee, K. B.,	Price,	Wood,
Fetterolf,	Leonard,	Pursley,	Worley,
Filo,	Limper,	Reibman,	Wynd,
Fineman,	Lippincott,	Reidenbach,	Yatron,
Floyd,	Lopresti,	Renwick,	Yetter,
Flynn,	Luigard,	Rigby,	Zimmerman,
Foerster,	Lutty,	Riley,	
Fox,	McCandless,	Rovansek,	
Frank,			

Speaker

NAYS—0			
NOT VOTING—12			
Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2142, entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission providing for its membership defining its powers and duties imposing duties on the State Council of Education and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196			
Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorizio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reldenbach, Renwick, Rigby, Riley, Rovansek,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman,  Andrews, Speaker

NOT VOTING—12			
Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2313 on page 21 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196			
Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorizio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reldenbach, Renwick, Rigby, Riley, Rovansek,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman,  Andrews, Speaker



## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2330, on page 22 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2330, entitled:

An Act making an appropriation to the Department of Agriculture for the maintenance of a calfhood vaccination program.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irlvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarceili, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—1

Auker,

## NOT VOTING—12

Ashton, Cooper, Kamyk,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2336 on page 23 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2336, entitled:

An Act making an appropriation to the Department of Agriculture for the payment of fees to veterinarians for the taking of blood samples.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Agnew, Anderson, Arlene, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irlvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarceili, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—1

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## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## APPROPRIATION BILL ON FINAL PASSAGE

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1755 on page 3 of today's calendar, Appropriation bill on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1755, entitled:

A supplement to the act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Agnew, Anderson, Arlene, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioff, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Ellberg, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Issacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Mihm, Meholchick, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Puraley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanssek,	Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujbal, Varallo, Varnier, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—12

Ashton, Cooper, Jump,	Knecht, Light, Merry,	Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2260 on page 20 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) providing for levying assessment and collection of taxes by certain independent school districts.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 3, line 7, by inserting after "are" "elected or."

Amend Sec. 1 (Sec. 1), page 3, line 7, by striking out "shall" and inserting: "may".

Amend Sec. 1 (Sec. 1), page 3, line 10, by inserting after "districts" "of the same class".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2261, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the levying and collection of taxes by certain independent school districts.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 672), page 2, line 6, by inserting after "are" "elected or".

Amend Sec. 1 (Sec. 672), page 2, line 6, by striking out "shall" and inserting: "may".



The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 379 on page 24 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

On the question,

Will the House agree to the bill on third reading?

Mr. AUKER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 836), page 3, line 14, by striking out "(I)".

Amend Sec. 1 (Sec. 836), page 4, lines 3 to 8, by striking out "or (II) who has served and attained" in line 3, all of lines 4 to 7, and "this commonwealth" in line 8.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 699, entitled:

An Act amending the act of June 4, 1943 (P. L. 886) entitled as amended "Municipal Employees' Retirement Law" defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 2), page 3, line 12, by inserting a bracket before "a" and after "municipal" and inserting "an".

Amend Section 1 (Section 2), page 3, line 14, by inserting a bracket before and after "municipal".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 835 on page 25 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. KAMYK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 2, page 2, line 10 by striking out "Persons" and inserting: "Only one registration shall be required of persons".

Amend Sec. 2, page 2, lines 12 and 13 by striking out "shall register the additional camps without payment" in line 12, all of line 13 and inserting: "in this Commonwealth".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

The remaining bills not considered on today's calendar were passed over at the request of Mr. McCANN.

#### BILLS INTRODUCED AND REFERRED

By Messrs. LUIGARD, STONE, GOLDSTEIN  
and O'NEIL HOUSE BILL No. 2356.

An Act amending "The Vehicl Code," approved April 29, 1959 (P. L. 58), prohibiting the interference with the operator's control of a motor vehicle and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. STRAUSSER, HEFFNER, and  
STANK. HOUSE BILL No. 2357.

An Act authorizing the Attorney General to make restitution to certain persons who suffered personal injuries and making an appropriation.

Referred to the Committee on Judiciary.

By Mr. BLAIR, Mrs. REIBMAN and

Mr. YETTER.

HOUSE BILL No. 2358.

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further defining the authority of the Department of Public Instruction to review construction projects.

Referred to the Committee in Rules.

## REPORTS FROM COMMITTEES

Mr. FRASCELLA from the Committee on Ways and Means, reported as amended, House Bill No. 2044, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), redefining documents and transactions; providing for determination of deficiencies, redetermination, reviews and appeals therefrom; imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

Mr. WILT from the Committee on State Government, reported as committed, House Bill No. 2159, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact for oil and gas conservation, and for related purposes.

Mr. WILT from the Committee on Judiciary, reported as committed, House Bill No. 2243, entitled:

An Act amending the act of April 27, 1909 (P. L. 260), entitled "An act providing for the return of all surety of the peace and desertion cases, \* \* \* and also providing that bail in such cases shall be taken for an appearance forthwith," changing the time when surety of the peace cases are returnable to court.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2159, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact for oil and gas conservation, and for related purposes.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2243, entitled:

An Act amending the act of April 27, 1909 (P. L. 260), entitled "An act providing for the return of all surety of the peace and desertion cases, \* \* \* and also providing that bail in such cases shall be taken for an appearance forthwith," changing the time when surety of the peace cases are returnable to court.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

## BIRTHDAY

Mr. McCANN. Mr. Speaker, although there are only a few members in the House—we have tried to work very hard today—I would like to bring to the attention of the House that today is also the birthday of one of our Members, the gentleman from York, Mr. Gailey. I would like at this time to wish Mr. Gailey a most pleasant and happy birthday and many more of the same.

The SPEAKER pro tempore. The Chair, along with all the other Members of this House, wish for the gentleman from York, Mr. Gailey, a most happy birthday.

The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. I have in my hand, Mr. Speaker, a speech that I intended to deliver on this occasion, however, in deference to the lateness of the hour, I will dispense with it.

Suffice it to say I have passed a third of a century. I can only hope that when I pass the two-thirds mark I will be in the same pleasant company as now.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

### HOUSE BILL No. 184

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically.

### HOUSE BILL No. 521

An Act authorizing the use of certified mail in lieu of registered mail.

### HOUSE BILL No. 762

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein . . ." authorizing the repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

### HOUSE BILL No. 851

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) authorizing veterans to gain residences as electors at homes for disabled and indigent soldiers and sailors.

### HOUSE BILL No. 1060

An Act amending the act of May 10, 1951 (P. L. 279) entitled "An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto" changing and clarifying provisions relating to fees procedures and enforcement permitting intrastate use of the act providing for the registration and enforcement of foreign support orders \* \* \*

### HOUSE BILL No. 1066

An Act authorizing an interstate compact concerning detainees and for related purposes.



## HOUSE BILL No. 1468

An Act amending the act of April 27, 1925 (P. L. 324) entitled "An act for the distribution by the Commonwealth and counties to townships and school districts of moneys received from the United States from Forest Reserves within the Commonwealth" authorizing the electors of a township to adopt an alternative basis for distribution of moneys.

## HOUSE BILL No. 1483

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing appropriations to posts of the Society of the 28th Division AEF Inc to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners.

## HOUSE BILL No. 1528

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. ) No. 32 providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof.

## HOUSE BILL No. 1892

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers \* \* \*" giving the court jurisdiction in the trial of indictments for arson and burglary.

## HOUSE BILL No. 1903

An Act to prohibit discrimination in employment by the Commonwealth its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1430

An Act repealing section 1035 act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

With the information that the Senate has passed the same without amendment.

## COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245-246, Wednesday, September 2, at 9:30 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Limper, Chairman, Room 521, Wednesday, September 2, at 9:30 a.m.

## ADJOURNMENT

Mrs. KERNAGHAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 2, 1959 at 9:00 a.m. E.S.T.

The motion was agreed to, and (at 7:40 p.m. E.S.T.) the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, SEPTEMBER 2, 1959.

No. 88.

## SENATE

WEDNESDAY, SEPTEMBER 2, 1959.

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT Pro tempore (M. Harvey Taylor) in the Chair.

### PRAYER

The Chaplain, Rev. CARL M. FULTON, Pastor of The Fellowship Baptist Church, Harrisburg, offered the following prayer:

Almighty and most gracious God, Our dear Heavenly Father, we most earnestly beseech Thee this day, praying Thy Holy blessing upon these lawmakers of the Senate of our great Commonwealth, to help them in their great work. We pray, Holy Father, that Thou will unite their hearts that they will be able to perform their great work in unity and brotherly love. Holy Father, we pray that Thou will continue to bless this Senate for the remaining days of this Session with good fellowship and brotherly love. Holy Father, we pray that what is said and done here today will be pleasing in Thy Holy sight.

Holy Father, we are grateful for the good government that we have in our State and Nation, and we pray that Thou will continue to bless us with good leadership in our State and Nation. Help us to be a light of the world to our Country. Bless our efforts to promote friendship among the races of our country. Holy Father, gracious are Thy promises, and may every one of them be very precious unto us. When this day is finished, we pray that Thou will grant these Senators and officials a safe journey to their various homes, both far and near.

We also pray Thy Holy Blessing upon the President of the United States, the Governor and Lieutenant-Governor of our Commonwealth of Pennsylvania, and all who are within the sound of my voice today. We ask these blessings in the Name of our Strength and Redeemer. Amen.

### JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. STEVENSON, further reading was dispensed with, and the Journal was approved.

## NOMINATIONS BY THE GOVERNOR

### REFERRED TO COMMITTEE

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

#### ASSOCIATE JUDGE IN AND FOR THE COUNTY OF MONROE

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Florence Warner, Saylorsburg, Monroe County, for appointment as Associate Judge in and for the County of Monroe, until the first Monday of January 1960, vice Homer A. Shupp, resigned.

DAVID L. LAWRENCE.

#### MEMBERS OF THE BANKING BOARD

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Banking Board until September 1, 1967, and until their successors are duly appointed and qualified:

John F. Murphy, Vice President, Northeastern Pennsylvania National Bank and Trust Company, Scranton, Lackawanna County, vice John H. Dillen, Altoona, whose term expired.

Donald Z. Wade, President, Bank of Matamoras, Matamoras Pike County, vice E. T. Gramley, Milton, whose term expired

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph E. Hoffman, Penn Hill Park, Womelsdorf, Berks County, for appointment as Justice of the Peace in and for the Borough of Womelsdorf, Berks County, to serve until the first Monday of January 1960, vice Leo R. Kuns, resigned.

DAVID L. LAWRENCE.



## BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills:

House Bill No. 184, Printer's No. 895;  
Senate Bill No. 477, Printer's No. 1295;  
Senate Bill No. 478, Printer's No. 1228;  
Senate Bill No. 479, Printer's No. 1229;  
House Bill No. 521, Printer's No. 138;  
House Bill No. 762, Printer's No. 997;  
House Bill No. 851, Printer's No. 550;  
House Bill No. 1060, Printer's No. 679;  
House Bill No. 1066, Printer's No. 355;  
House Bill No. 1468, Printer's No. 922;  
House Bill No. 1483, Printer's No. 1208;  
House Bill No. 1528, Printer's No. 1131;  
House Bill No. 1892, Printer's No. 994; and  
House Bill No. 1903, Printer's No. 944.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

## HOUSE MESSAGES

## HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 263, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

Which was committed to the Committee on Rules.

House Bill No. 486, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for annual payments by the Commonwealth to school districts and vocational school districts on account of expenses for educational television broadcasts by nonprofit educational television stations and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 534, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges, in connection with capital improvements to the Ebensburg State School.

Which was committed to the Committee on Rules.

House Bill No. 1109, entitled:

An Act establishing as State highways certain county highways or sections thereof, tunnels, bridges, viaducts and approaches thereto in counties of the second class; and requiring their construction, repair and maintenance by the Commonwealth.

Which was committed to the Committee on Rules.

House Bill No. 1157, entitled:

An Act making an appropriation to the Department of

Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Indiana State Teacher' College.

Which was committed to the Committee on Appropriations.

House Bill No. 1322, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy, in East Allen Township, Northampton County.

Which was committed to the Committee on Rules.

House Bill No. 1496, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers' College, and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Which was committed to the Committee on Appropriations.

House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in geological survey to be made in conjunction with the Federal Government.

Which was committed to the Committee on Appropriations.

House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 1746, entitled:

An Act making an appropriation to the Pennsylvania Industrial Development Authority.

Which was committed to the Committee on Appropriations.

House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business, industry and commerce in the respective counties of the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 1748, entitled:

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

Which was committed to the Committee on Appropriations.

House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

Which was committed to the Committee on Appropriations.

House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

Which was committed to the Committee on Appropriations.

House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

Which was committed to the Committee on Appropriations.

House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated, Fox Chase, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1897), and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

Which was committed to the Committee on Appropriations.

House Bill No. 1755, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Which was committed to the Committee on Rules.

House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University, for the School of Medicine, for the establishment of a professorship in the School of

Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Which was committed to the Committee on Appropriations.

House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University, for the School of Medicine and for the School of Veterinary Medicine.

Which was committed to the Committee on Appropriations.

House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University, at Philadelphia, Pennsylvania, for the general maintenance and operation of the University and for the School of Medicine.

Which was committed to the Committee on Appropriations.

House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Which was committed to the Committee on Appropriations.

House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Insti-



tute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

Which was committed to the Committee on Appropriations.

House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

Which was committed to the Committee on Appropriations.

House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of National Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus, supplies and equipment.

Which was committed to the Committee on Appropriations.

House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School of Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Which was committed to the Committee on Appropriations.

House Bill No. 1779, entitled:

An Act making an appropriation to The Glen Mills School in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 2142, entitled:

An Act creating a joint legislative commission to be known as the Legislative Education Commission, providing for its membership, defining its powers and duties, imposing duties on the State Council of Education, and making an appropriation.

Which was committed to the Committee on Rules.

## House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

Which was committed to the Committee on Rules.

## House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis, treatment and study of cerebral palsy at St. Christopher's Hospital.

Which was committed to the Committee on Appropriations.

## House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

Which was committed to the Committee on Appropriations.

## House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

Which was committed to the Committee on Appropriations.

## House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military affairs for the payment of services of the Civil Air Patrol.

Which was committed to the Committee on Appropriations.

## House Bill No. 2225, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to counties and cities for juvenile delinquency programs.

Which was committed to the Committee on Appropriations.

## House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

Which was committed to the Committee on Appropriations.

## House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Which was committed to the Committee on Appropriations.

## House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

Which was committed to the Committee on Appropriations.

## House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Which was committed to the Committee on Appropriations.

## House Bill No. 2230, entitled:

An Act making an appropriation to the Department of Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

Which was committed to the Committee on Appropriations.

## House Bill No. 2231, entitled:

An Act making an appropriation to the Department of Public Instruction to provide grants for improving library services throughout the Commonwealth.

Which was committed to the Committee on Appropriations.

## House Bill No. 2236, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals and the purchase of hospital care for persons entitled to such care under the Public Assistance law.

Which was committed to the Committee on Appropriations.

## House Bill No. 2239, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled as amended, "An Act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the first class as State Highways; \* \* \* and appropriating money in the Motor License Fund for the purpose of this act," changing certain routes and adding certain new routes.

Which was committed to the Committee on Rules.

## House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

## House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

## House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long



range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

House Bill No. 2313, entitled:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County, for furnishings and equipment, grading and landscaping of grounds and improvement of roadways.

Which was committed to the Committee on Appropriations.

House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Which was committed to the Committee on Appropriations.

House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

Which was committed to the Committee on Appropriations.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by his Excellency, the Governor:

### JUSTICE OF THE PEACE

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence W. Scheuren, Jr., Box 12, Collegeville, Montgomery County, for appointment as Justice of The Peace in and for the Borough of Collegeville, Montgomery County, to serve until the first Monday of January 1960, vice George H. Moyer, resigned.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gayton A. Price, 39 East Garber Street, Mount Union, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Mount Union, Huntingdon County, to serve until the first Monday of January 1960, vice H. Blair Wagner, deceased.

DAVID L. LAWRENCE.

### MEMBER OF THE STATE BOARD OF PHARMACY

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel E. Snyder, 530 Vernon Road, Philadelphia 19, Philadelphia County, for appointment as a member of the State Board of Pharmacy, for the term of six years, and until his successor shall have been appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Sam M. Jacobs, 9 East Front Street, Danville, Montour County.

Leo S. Dennen, R. D. 1, Turbotville, Northumberland County.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Molish, Box 128, Daisytown, Washington County, for appointment as Justice of the Peace in and for the Township of West Pike Run, Washington County, to serve until



the first Monday of January 1960, vice Alexander Konick, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF  
KUTZTOWN STATE TEACHERS' COLLEGE

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Kutztown State Teachers College:

Mrs. Mary R. Christman, Reading, Berks County, from April 9, 1958, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Karl F. Weber, Emmaus, Lehigh County, from October 28, 1957, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Charles W. Eisenhard, Allentown, Lehigh County, from June 21, 1957, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. WHALLEY, from the Committee on Highways reported as committed, House Bill No. 831, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing for the issuance of certain permits within each county.

Mr. SHAFER, from the Committee on Corporations reported as committed, House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons, partnerships and certain unincorporated associations; making certain acts relating thereto unlawful and prescribing penalties.

PERMISSION TO ADDRESS SENATE

Mr. KOPRIVER, JR. asked and obtained unanimous consent to address the Senate.

Mr. KOPRIVER, JR. Mr. President, in the Session of 1957, a bill was passed removing the assessment from machinery in Allegheny County, which would be done over a five year period. There seems to be confusion in Allegheny County as to what is machinery and what is not machinery. In order to clarify the position of the Allegheny County Bureau of Assessment and the third class city bureaus of assessment, I am introducing a resolution, at the request of the third class cities and boroughs involved in Allegheny County, to define machinery. I feel that something should be done following the assessment of machinery being dropped after a five year period.

Mr. President, I hereby introduce this resolution, and ask that it be sent to the proper committee.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COM-  
MISSION TO DEFINE THE TERM "MACHINERY"  
WITH RELATION TO ASSESSMENT OF REAL  
ESTATE IN COUNTIES OF THE SECOND  
CLASS

Mr. KOPRIVER, JR. offered the following resolution (Serial No. 60), which was read and referred to the Committee on Rules:

In the Senate, September 2, 1959.

In many instances, the assessment of real estate for

taxation in counties of the second class is unjust and inequitable.

Many of these injustices are the result of the inconsistency of the local government in interpreting and applying the numerous and broad terms contained in the tax laws.

Among the terms which have been applied to a variety of factual situations and which have not been clearly and definitely defined is the term "machinery" when assessed as real estate.

As a result of this inconsistency in interpreting and applying the term "machinery," it has become increasingly difficult to determine when the machinery used in a particular factory or industry is assessable as real estate, and when it is not; therefore, be it

Resolved, That the Joint State Government Commission be directed to study and define the term "machinery" with relation to assessment of real estate in counties of the second class, and report to the next regular session of the General Assembly as to its findings and recommendations.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I just want to mention one thing in connection with this resolution which was just introduced. I realize it is going to committee, and I am not debating it.

I just want to mention that the difficulty in defining machinery, when it is real estate and when it is not, is not a problem for a local government. It is a problem of defining machinery, what is realty and what is personality, and that is a matter of law. In some cases, many of which are leading in this Country, according to the United States Supreme Court, if the machinery is attached to the real estate so that it cannot be moved, it is considered realty and it is taxed as such. When it is the type of machinery that can be picked up and carried away, it is defined as personality, and does not come under the heading of realty.

As a matter of fact, we took this into consideration in the sales tax which we have enacted in this Commonwealth, and we defined the base, or the materials that go into the base, for machinery as being realty. Therefore, it is not taxed under the sales tax. We specifically provided that, bearing in mind that when you put up machinery and you lay a base for it or attach it to the real estate, it is then part of the realty.

I think it is very difficult to define. I think each case sort of stands on its own two feet. That is what has made the case law, as it is in this Country, and there are still cases today on this very, very point.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I think Senator Koprivier has an excellent resolution. I might say that what this is pertaining to, in my opinion, is the Local Assessment Act. I do say that this Senate and the Legislature has never definitely defined what machinery actually is when it comes to assessment for taxing purposes. Therefore, I do believe that this resolution should be brought from committee and acted upon in this Senate. We should have some legislation enacted whereby we will know just what is taxable and what is not taxable.

I have always felt, Mr. President, that the passage of



legislation which exempted all machinery from real estate taxation was morally wrong, because it has worked hardship upon many of the political subdivisions in Pennsylvania. I might say in my own county of Washington, it has increased the county millage by two mills. In some of the school districts, they have had to increase it as much as five mills because of the loss of this assessment. However, it still has not been clarified.

I agree that Senator Koprivier has sponsored an excellent resolution, and he can count upon my vote and my support.

### REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, reported as committed, Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employes.

### REPORT FROM COMMITTEE ON RULES ON THE QUESTION OF WHETHER OR NOT RESOLUTION TO DISCHARGE COMMITTEE IS PRIVILEGED

Mr. BERGER. Mr. President, I ask unanimous consent to make a further committee report, which I believe is proper under this order of business.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, on the tax measure—I cannot give you the exact date but it was a couple of weeks ago—the question was raised as to the status of a resolution to discharge a committee from further consideration of a bill, as to whether it was a privileged resolution or it was not. The Chair referred this to the Rules Committee for a report, and I, at this time, make a report from the Rules Committee for the consideration of the Chair.

Mr. President, I might suggest that if the Presiding Officer approves this, after considering the report and if he adopts it as a ruling of the Chair, it might then be distributed to the Members of the Senate.

Mr. WEINER. Mr. President, I believe that this matter should lie on the table at this time until such time as the Lieutenant-Governor is in the Chair, so that we have the benefit of his knowledge on this matter.

The PRESIDING OFFICER. The Chair agrees wholeheartedly, but felt that for the information of the Membership, who would probably like to hear the report of the Rules Committee at this time, it would do no harm for the Clerk to read the report now and we would then lay it on the table until the Lieutenant-Governor returns.

Mr. WEINER. Mr. President, in order not to be accused of histrionics, you might have used the line, "Here he is now," the Lieutenant-Governor now being present.

The PRESIDING OFFICER. The Chair will now return the gavel to the Lieutenant-Governor.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

The PRESIDENT. Thank you, Senator Scott.

### REPORT FROM COMMITTEE ON RULES LAID ON THE TABLE

The PRESIDENT. Coming into a situation like this one puts me in a tough spot. I would lay the report on the table until I have had a chance to study it and report to the Senate concerning it at a later time.

### CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

### EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

### JUSTICE OF THE PEACE

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clarence W. Scheuren, Jr., Box 12, Collegeville, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Collegeville, Montgomery County, to serve until the first Monday of January 1960, vice George H. Moyer, resigned.

DAVID L. LAWRENCE.

### JUSTICE OF THE PEACE

March 31, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gayton A. Price, 39 East Garber Street, Mount Union, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Mount Union, Huntingdon County, to serve until the first Monday of January 1960, vice H. Blair Wagner, deceased.

DAVID L. LAWRENCE.

### MEMBER OF THE STATE BOARD OF PHARMACY

August 25, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel E. Snyder, 530 Vernon Road, Philadelphia 19, Philadelphia County, for appointment as a member of the State Board of Pharmacy, for the term of six years, and until his successor shall have been appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

### MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of

Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1965, and until their successors are appointed and qualified:

Sam M. Jacobs, 9 East Front Street, Danville, Montour County.

Leo S. Dennen, R. D. 1, Turbotville, Northumberland County.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

August 24, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Molish, Box 128, Daisytown, Washington County, for appointment as Justice of the Peace in and for the Township of West Pike Run, Washington County, to serve until the first Monday of January 1960, vice Alexander Konick, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

July 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Kutztown State Teachers College:

Mrs. Mary R. Christman, Reading, Berks County, from April 9, 1958, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Karl F. Weber, Emmaus, Lehigh County, from October 28, 1957, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Charles W. Eisenhard, Allentown, Lehigh County, from June 21, 1957, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 66, Printer's No. 1339, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on final passage, go over in their order:

Senate Bill No. 233, Printer's No. 733; and

Senate Bill No. 1032, Printer's No. 1216.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

REVENUE BILLS ON THIRD READING OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following revenue bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1569;

House Bill No. 661, Printer's No. 1570; and

House Bill No. 662, Printer's No. 1571.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 290, Printer's No. 314; and

House Bill No. 398, Printer's No. 1072.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 409, Printer's No. 1572, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 470, Printer's No. 236;

House Bill No. 471, Printer's No. 237; and

Senate Bill No. 735, Printer's No. 816.

The PRESIDENT. Is there objection? The Chair hears none.



BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 736, entitled:

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 739, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 747, Printer's No. 838;

Senate Bill No. 748, Printer's No. 839;

Senate Bill No. 749, Printer's No. 840;

Senate Bill No. 750, Printer's No. 1071; and

Senate Bill No. 751, Printer's No. 1326.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 754, on third reading, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting house trailers from gross weight requirements.

be recommitted to the Committee on Highways for the reason that the provisions of this bill are included in two previous bills, Senate Bill No. 749 and Senate Bill No. 751.

Mr. PROPERT. Mr. President, I second the motion.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 888, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" authorizing expenditures for aviation training.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 889, entitled:

An Act amending the act of May 25, 1933 (P. L. 1001)

entitled as amended "The Aeronautical Code" amending and adding definitions revising text to conform and authorizing expenditures for aviation training.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1545, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Title, page 1, last line of Title, by inserting after "circumstances": "and further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printers' No. 1360, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 975, Printer's No. 1147;

House Bill No. 1015, Printer's No. 1544;

Senate Bill No. 1037, Printer's No. 1224;

Senate Bill No. 1047, Printer's No. 1238; and

Senate Bill No. 1089, Printer's No. 1289.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1177, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law and changing the time within which such notification must be given.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1566, Printer's No. 987, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.



## SECOND READING CALENDAR

## REVENUE BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2315, entitled:

An Act amending the act of March 6, 1956 (P. L. 1256) entitled "The Hotel Occupancy Tax Act" increasing the rate of tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## APPROPRIATION BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 10, Printer's No. 10;  
House Bill No. 56, Printer's No. 1360;  
House Bill No. 186, Printer's No. 975;  
Senate Bill No. 187, Printer's No. 201;  
Senate Bill No. 301, Printer's No. 1358;  
Senate Bill No. 446, Printer's No. 1323;  
Senate Bill No. 447, Printer's No. 481;  
Senate Bill No. 448, Printer's No. 1324;  
Senate Bill No. 449, Printer's No. 1325;  
House Bill No. 467, Printer's No. 823; and  
Senate Bill No. 535, Printer's No. 571.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 578, entitled:

An Act amending the act of May 3, 1933 (P. L. 242)

entitled "Beauty Culture Law" changing eligibility requirements for examination.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 632, Printer's No. 1574; and

House Bill No. 677, Printer's No. 1036.

The PRESIDENT. Is there objection? The Chair hears none.

## RECESS

Mr. BERGER. Mr. President, I request a one-half hour recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Caucus Room. I would remind the Senators to take with them to the meeting the bills on their desks.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a one-half hour recess of the Senate.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

## SECOND READING CALENDAR

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 679, Printer's No. 175; and

House Bill No. 680, Printer's No. 176.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 737, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" defining conveyance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 738, Printer's No. 819; and

House Bill No. 879, Printer's No. 1037.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 883, entitled:

An Act prohibiting the packaging delivery or sale of

certain plastic bags unless a warning is attached thereto and imposing a penalty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 897, Printer's No. 1052;  
Senate Bill No. 920, Printer's No. 1083;  
Senate Bill No. 1001, Printer's No. 1190;  
Senate Bill No. 1031, Printer's No. 1215;  
Senate Bill No. 1036, Printer's No. 1340;  
Senate Bill No. 1041, Printer's No. 1232;  
Senate Bill No. 1046, Printer's No. 1237;  
Senate Bill No. 1050, Printer's No. 1241;  
Senate Bill No. 1051, Printer's No. 1249;  
Senate Bill No. 1052, Printer's No. 1250;  
Senate Bill No. 1068, Printer's No. 1266;  
House Bill No. 1071, Printer's No. 1110;  
Senate Bill No. 1079, Printer's No. 1279;  
Senate Bill No. 1081, Printer's No. 1361;  
Senate Bill No. 1093, Printer's No. 1362;  
Senate Bill No. 1094, Printer's No. 1363;  
Senate Bill No. 1095, Printer's No. 1364; and  
Senate Bill No. 1096, Printer's No. 1365.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1102, Printer's No. 1308;  
Senate Bill No. 1103, Printer's No. 1309;  
Senate Bill No. 1106, Printer's No. 1316;  
Senate Bill No. 1107, Printer's No. 1317;  
Senate Bill No. 1109, Printer's No. 1319;  
Senate Bill No. 1115, Printer's No. 1333;  
House Bill No. 1143, Printer's No. 492;  
House Bill No. 1144, Printer's No. 463;  
House Bill No. 1145, Printer's No. 464; and  
House Bill No. 1228, Printer's No. 979.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1297, entitled:

An Act amending the act of April 6, 1956 (P. L. 1414), entitled "An act to promote the welfare of the people of this Commonwealth; creating Port Authorities to function in counties of the second class \* \* \*," granting Port Authorities the exclusive right to engage in the business of owning, operating and maintaining a transportation system for the transportation of persons in counties of the second class \* \* \*.

The first section was read.

On the question,

Will the Senate agree to the section?

### BILL OVER IN ORDER

Mr. KOPRIVER, JR. Mr. President, yesterday, we had quite an exhibition on House Bill No. 1297. I want you to know, Mr. President, that I believe in fair play. I could make a motion to recommit this bill, but, believing in fair play, I do not want to take advantage of the other side. As I look over on the other side, I see most of the other Members have gone home.

Therefore, Mr. President, I ask unanimous consent that House Bill No. 1297, Printer's No. 1507, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I just want to make an observation. It might be that because the gentleman has his back turned toward his own side, he does not realize that I can see from this side that there are quite a number of Members missing on that side, as well. Therefore, I think we may have difficulty in acting on this measure today. I think he is correct in asking that the bill go over in its order, and I agree with him.

Mr. KOPRIVER, JR. Mr. President, I think, in all fairness, the Minority Leader knows where our Members are. They are in back of the Senate, having lunch. He knows I am right. He is just trying to skirt the issue. There are twenty-six Members present on this side today.

Mr. WEINER. Mr. President, I do not wish to debate this subject, but I think if the gentleman will take a careful count, he will find there may be a few Members who are not eating and who might not even have been left in the Caucus Room. I was just trying to bring to his attention that there are some people who are not here today, for several reasons, most of which I am sure are good reasons.

Therefore, Mr. President, I agree with the gentleman in his request that the bill go over in order. I think we should not debate this question.

Mr. BERGER. Mr. President, ordinarily, I would let the remarks pass, but I wish to call the Chair's attention to the fact that there are twenty-six Members on this side in attendance at this Session. If the gentleman would like to have them all on the floor, we will be glad to bring them in.

Mr. WEINER. Mr. President, I did not say there were or were not twenty-six. I was not debating that issue. I merely stated that there are some Members absent from the other side. Whether that equals twenty-six, less than twenty-six or twenty-eight, I do not know. As I said, I agree with the gentleman that the bill should go over in its order. We do not have the people here to debate this measure today.

The PRESIDENT. There being no objection, the bill will go over in its order.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1383, entitled:

An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1437, entitled:

An Act amending the act of May 24, 1945 (P. L. 967) entitled "Licitious Name Act" defining the term "business" providing for the change of location from one county to another and designating the persons to sign an application to amend the certificate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1455, Printer's No. 516, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1463, Printer's No. 871; and

House Bill No. 1472, Printer's No. 640.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1544, Printer's No. 874; and

House Bill No. 1572, Printer's No. 1299.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL RE-REFERRED

Mr. PECHAN. Mr. President, I move that House Bill No. 1620, on second reading, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" authorizing certain confidential information regarding tax or bonus to be divulged to political subdivisions.

be re-referred to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1654, Printer's No. 1022;

House Bill No. 1823, Printer's No. 727; and

House Bill No. 1835, Printer's No. 1228.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1945, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2031, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" increasing the amount of contracts in which borough officials may have no interest.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2049, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes . . ." authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill 2162, entitled:

An Act amending the act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2264, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, I wish to point out that the bills on page 23 and 24 of today's Calendar are a

result of the recommendations of the committee which worked on the mine disaster that we had earlier this year. This legislation is an outgrowth of the report of this committee.

The reason we are anxious to move these bills into a position where we can act on them is because we have confidence in the committee. It has done a good job and we feel these are problems which need correction as soon as possible. This is our first opportunity to act on this legislation.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2265, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law" creating and imposing duties on mine safety committees.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2266, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law" changing the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2267, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law" providing that newly assigned mine inspectors be conducted through each mine in his district by his predecessor or a representative of the Department of Mines and Mineral Industries.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2270, entitled:

An Act amending the act of June 2, 1891 (P. L. 176), entitled "Anthracite Coal Mining Law" regulating the marking of the means of ingress and egress in mines.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2271, entitled:

An Act amending the act of May 9, 1889 (P. L. 154), entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines" requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases and empowering the court to make finding and decree the death of such person.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 1079 CALLED UP

Mr. PECHAN. Mr. President, I call up, from page 16 of today's Second Reading Calendar, Senate Bill No. 1079, Printer's No. 1279, which previously went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837), entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN, on behalf of Mr. VAN SANT, offered the following corrective amendment:

Amend Sec. 1 (Sec. 1), page 2, line 13 by striking out "authority" and inserting: "power."

It was agreed to.

The section was agreed to as amended.

The second, third, and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent



that Senate Bill No. 1079, Printer's No. 1279, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 831, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code," providing for the issuance of certain permits within each county.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2014, entitled:

An Act regulating the conducting and maintaining of burial grounds and cemeteries by natural persons partnerships and certain unincorporated associations making certain acts relating thereto unlawful and prescribing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### STATEMENT CONCERNING PRINTER'S ERROR IN NAMES OF SPONSORS OF HOUSE BILL No. 1437, PRINTER'S No. 637

Mr. LANE. Mr. President, on page 20 of today's Calendar, House Bill No. 1437, I believe you will find a printer's error, whereby they have the sponsors of the bill listed as Messrs. Donaldson, Lane, Luty and Goldstein. I used to be in the House years ago, and sometimes I wish I were back there. However, I believe the printer should correct that error, because I do not believe there is another Lane in the House of Representatives.

The PRESIDENT. Do you feel this is an improper use of your name?

Mr. LANE. I would not say it is improper, Mr. President. I would feel that it is a double-header.

The PRESIDENT. I am sure it should be called to the attention of the printer, and it will be so called.

It is my understanding that the printer was so well versed with the name of Lane, he used it instead of Lamb, which should have been on the bill.

### SENATE RESOLUTION

#### VETERANS DAY

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WALKER and KALMAN offered the following resolution (Serial No. 61), which was read, considered and agreed to:

In the Senate, September 2, 1959.

November 11th is set aside as Veterans Day by Presidential Proclamation and declared a State and Federal holiday to honor all veterans.

In general practice, this day is only observed by short ceremonies. As a general rule, business activities continue and the schools remain open, consequently people do not have the opportunity to properly observe this important day; therefore be it

Resolved, That the Senate urge the various school districts throughout the State to declare November 11th as a holiday for all the children; and be it further

Resolved, That the Senate urge the Governor to issue a proclamation requesting all businesses, except those which would normally be open on Sundays, to be closed on Veterans Day so that all the people of the Commonwealth will have the opportunity to observe this day in such manner that the true spirit to honor the veterans of our Commonwealth can truly be executed; and be it further

Resolved, That a copy of this resolution be forwarded to the Governor and to the Superintendent of Public Instruction for dissemination to all the school districts.

### BILLS INTRODUCED AND REFERRED

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McMENAMIN read in place and presented to the Chair Senate Bill No. 1145, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of St. Joseph's Children and Maternity Hospital, Scranton.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1146, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of the Hahnemann Hospital, Scranton.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1147, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of the Carbondale General Hospital, Carbondale.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1148, entitled:

An Act making an appropriation to the Department of

Public Welfare for the maintenance of Friendship House, Scranton.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1149, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of St. Joseph's Hospital, Carbondale.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1150, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of the West Side Hospital, Scranton.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1151, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of Taylor Hospital, Taylor.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of the Mid Valley Hospital Association, Peckville.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1153, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," exempting coffee from the tax when purchased for consumption off the premises of the vendor.

Which was committed to the Committee on Rules.

He also read in his place and presented to the Chair Senate Bill No. 1154, entitled:

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Scranton State Hospital.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1155, entitled:

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Clarks Summit State Hospital.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 1156, entitled:

An Act making an appropriation to the Orlando S.

Johnson Industrial School of Scranton for maintenance and purchase of supplies and equipment.

Which was committed to the Committee on Appropriations.

Mr. SARRAF. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SARRAF and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 1157, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," increasing the speed limit for motor buses on certain highways.

Which was committed to the Committee on Rules.

He also, on behalf of Mr. WEINER, read in place and presented to the Chair Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593), entitled "An act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (Pamphlet Laws 535), entitled "An act providing for the redemption of real property purchased by a political subdivision at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties," extending the application thereof to counties of the first class and cities and school districts located within such counties.

Which was committed to the Committee on Rules.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

#### TIME OF NEXT MEETING

In the Senate, September 1, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Wednesday, September 9, 1959, at Two o'clock P. M., E.S.T. and when the House of Representatives adjourns this week, it reconvene on Wednesday, September 9, 1959, at Three-Thirty o'clock P. M., E.S.T.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1, entitled:

An Act amending the "World War II Veterans' Compensation Act, approved June 11, 1947 (P. L. 565), extending the time during which applications may be filed for veterans' compensation.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 195

He also presented communication from the House of Representatives informing the Senate that the House



has concurred in amendments made by the Senate to House Bill No. 195, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing Commonwealth reimbursement to school districts, on account of migratory children attending their schools and making an appropriation.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 323

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 323, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), extending the time in which the department may approve articles of incorporation, amendment or merger; \* \* \* and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 609

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 609, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled "An act of give protection, and to regulate the catching or taking or having in possession, within this Commonwealth of any bullfrogs, tadpoles, and terrapin; \* \* \*," making this act apply to turtles, frogs, and tadpoles; changing creel limits and revising methods of taking.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 869

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 869, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1029

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1029, entitled:

An Act amending the "Municipal Borrowing Law," approved June 25, 1941 (P. L. 159), increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1305

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1305, entitled:

An Act amending the "Local Tax Enabling Act," ap-

proved June 25, 1947 (P. L. 1145), empowering townships of the second class to levy, assess and collect certain additional taxes under the provisions of said act.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1658

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1658, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), making the time when a red light shall be placed on objects extending beyond the chassis, conform with the time when lights shall be displayed on all vehicles and tractors.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 141

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 141, entitled:

An Act imposing liability upon parents for the tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery.

The PRESIDENT. The bill will be laid on the table.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 163

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 163, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract by motor vehicle in certain cases.

The PRESIDENT. The bill will be laid on the table.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 621

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto, and making an appropriation.

The PRESIDENT. The bill will be laid on the table.

#### BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 1, Printer's No. 1302;  
House Bill No. 142, Printer's No. 102;  
House Bill No. 195, Printer's No. 1033;  
House Bill No. 223, Printer's No. 1136;  
House Bill No. 256, Printer's No. 498;  
House Bill No. 323, Printer's No. 1304;  
House Bill No. 609, Printer's No. 1386;  
House Bill No. 869, Printer's No. 1418;

House Bill No. 1029, Printer's No. 1242;  
 House Bill No. 1305, Printer's No. 1245;  
 House Bill No. 1430, Printer's No. 1251;  
 House Bill No. 1658, Printer's No. 882; and  
 House Bill No. 1714, Printer's No. 1212.

### PETITIONS AND REMONSTRANCES

Mr. SEYLER. Mr. President, I think there has been growing, through the Commonwealth, a conviction on the part of parents, educators, school boards and other citizens interested in public education that the present maximum subsidy of \$5,800 is inadequate, and that, therefore, the present appropriation on behalf of instruction is inadequate.

This conviction, I think, is gradually percolating into the minds of Legislators on both sides of the Legislature. The only question, Mr. President, is just how much additional money will be needed to adequately meet the increased needs of the school districts.

The Pennsylvania State Education Association, prior to this Session, issued a historic document which is titled, "Today and Tomorrow, Education in Pennsylvania." It is popularly referred to as, "The Report by the Committee of Fifteen," because it was drawn up, after extensive study and research, by fifteen prominent educators and was incorporated into legislation in the form of House Bill No. 1108. In this study, the committee endeavored to find out what it would cost to support an adequate educational program in Pennsylvania. They came up with the conclusion, as incorporated in House Bill No. 1108, that the maximum subsidy figure should be raised to \$9,000, with an accompanying raise in the local effort to seven mills. This program is estimated to cost the Commonwealth, in the next biennium, an additional figure which is somewhat short of \$200,000,000.

Subsequent to the introduction of that bill, a bill was introduced in this Senate, Senate Bill No. 1099, which provides that the maximum subsidy should be raised from \$5,800 to \$7,000 in the first year of the biennium, and to \$8,000 in the second year of the biennium, with a corresponding increase in local effort, so that the same distribution would result. This bill is estimated to cost somewhat short of \$100,000,000.

Now, Mr. President, I have heard the figure of \$28,000,000 frequently used as a figure that represents the amount of additional money in the budget that would be adequate to meet the needs of our school districts during the next biennium. I do not know where the figure of \$28,000,000 originated. I do not know what the rationale back of this figure is. However, I am convinced, Mr. President, that unless something is said on this subject, Legislators are going to make the assumption that somehow this magical figure of \$28,000,000 represents the answer to the Commonwealth's needs, as far as providing an adequate educational program in our public schools for the next two years. I do not think this is so.

I think it is time we faced up to the problem of whether \$28,000,000 does represent an adequate figure, because if we do not, I am afraid that it will become the accepted figure.

I would like to just briefly point out what \$28,000,000 would do and how inadequate it would be. In the first place, Mr. President, school districts face the problem of a loss in revenue, in many cases due to a newly an-

nounced tax equalization figure which describes the market value of the property in school districts throughout the Commonwealth. In order to make up to school districts which would lose by this new tax equalization figure, it would be necessary to put \$12,000,000 into our budget. Twelve million dollars from \$28,000,000 means that this leaves \$16,000,000 to make up the needs which were present before the Tax Equalization Board reported. Therefore, our figure of \$28,000,000 comes down to a figure of \$16,000,000, in so far as it applies to the needs of the school districts before the new tax equalization figures were announced.

Of the \$16,000,000, Mr. President, under our present system of distribution, and if no change is made in the \$5,800 figure or no change is made in our present means of distribution, the first and second class school districts in this Commonwealth will receive between \$7,000,000 and \$8,000,000 of that \$16,000,000.

I would have the Members reflect on the fact that the first and second class school districts amount to a total of twenty-five school districts out of a whole number of school districts, which is 2,420. This means that twenty-five districts will receive of the increase of \$16,000,000, which is left out of the \$28,000,000, about half, or between \$7,000,000 and \$8,000,000, leaving for the 2,395 districts, which are not first and second class school districts, a total amount of between \$8,000,000 and \$9,000,000 to be distributed.

If we will reflect on the distribution of \$7,000,000 or \$8,000,000 among 2,395 school districts, I think it becomes obvious that this represents a figure which is totally inadequate to meet the needs of the third and fourth class districts of this Commonwealth.

I might point out, Mr. President, that it is just in these districts, the third and fourth class districts of the Commonwealth, where the need for additional help is most acute. I would also like to say this. Unless the Legislature sees fit to provide more adequately than would be represented here in this \$7,000,000 or \$8,000,000, which would result from a total additional appropriation of \$28,000,000, many of these third and fourth class districts are going to be, for the first time in their history, distressed school districts, because many of them have reached a point where they are unable to go further in local taxation, where, with all of the good will in the world, they have gone as far as the local resources of their communities will permit. Unless they receive enough aid to bridge the gap between their own resources and the financial needs of their school districts—most of which, Mr. President, are mandated by this Legislature—they will be unable to adequately finance their programs without coming to the Commonwealth as distressed school districts. This would present a situation which, if it develops largely, would be a chaotic one, and one which would mean that the Commonwealth would have to provide additional funds in the form of distressed funds. This would be a situation which would shake the confidence of the people of the Commonwealth in the administration of our public schools.

Therefore, Mr. President, I would like to urge upon all Members not to accept the figure of \$28,000,000 as the figure which will settle the difficulty. It is my belief that we must do substantially more than that. I would recommend to all Members that they give consideration



to Senate Bill No. 1099, as proving a solution which would be more nearly adequate to the situation.

Mr. PECHAN. Mr. President, I do not want to discuss this matter at length, but I do want to tell Senator Seyler that I have, in committee, a bill which will raise \$22,000,000 more. There is not going to be any additional tax to obtain this amount. There is going to be a different method of collection, which will bring the Commonwealth this additional \$22,000,000. It is exactly what the Kennedy Report suggested to his Excellency, the Governor.

If Senator Seyler will get behind this movement, there is \$22,000,000 which we can obtain to help our distressed school districts. I have reference to taxing beer and liquor at the consumer level, rather than at the distributor level.

Mr. SEYLER. Mr. President, I would reply to the gentleman that his proposition sounds very interesting to me.

Mr. LANE. Mr. President, I will reply to the gentleman by saying that I believe Senator Pechan is determined to play partisan politics. He wants to make sure that the Democrats will never be in control of the State Government again. Advocating a tax over-the-bar is a political move because in most taverns in Pennsylvania, it appears that politics are discussed and the Democrats will be damned from now on in.

Mr. PECHAN. Mr. President, I would suggest to the distinguished gentleman that he take a walk through that door and go through the House of Representatives and tell that to His Excellency, the Governor. He suggested to the Legislature that this is the manner in which it should be collected. Do not blame us. I just picked it up from him. I am just one of the dumb guys over here, in that I read the newspaper and went through the proposal. I want to be helpful. I want to help raise this money for our schools. I cannot understand where it is political. Everything else is done on the consumer level. Why do you take an exception to beer and liquor? It just does not make sense to me.

### INTERROGATION

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. LANE. Senator Pechan, are you in favor of this legislation?

Mr. PECHAN. Which legislation?

Mr. LANE. The legislation whereby you recommend that the tax be collected over-the-bar.

Mr. PECHAN. Yes, I am. My name is on the bill. I introduced the bill.

Mr. LANE. Are you planning on running for re-election next year?

Mr. PECHAN. Yes, very much.

Mr. LANE. Thank you very much.

### INTERROGATION

Mr. WEINER. Mr. President, since the gentleman from Armstrong, Senator Pechan, has very kindly agreed to answer questions, I, therefore, desire to interrogate him.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. WEINER. Mr. President, would the gentleman deign to tell us whether he voted for the four per cent sales tax, originally, on beer and liquor.

Mr. PECHAN. Originally, I voted for the three and one-half per cent sales tax.

Mr. WEINER. Mr. President, I do not want to appear rude and interrupt the gentleman, but would he please respond to my question. If he then wants to make a clarifying statement, I think he should do so.

I will repeat my question for the gentleman. Did he vote for the four per cent sales tax on beer and liquor in the bill which we just passed here in the last two weeks?

Mr. PECHAN. I voted against the four per cent sales tax, period. I do not know whether beer and liquor was included in it or not. I voted against it because I thought that three and one-half per cent was enough for you.

Mr. WEINER. I want to thank the gentleman, Mr. President. However, Mr. President, I wish to point out to him a little bit of history which I think he should be cognizant of.

When the Hood-Kennedy Report was published and submitted by the Governor to the Legislature, nobody said anything about any part of it. Nobody objected to it. Nobody said they were for it. Nobody, in any way, took exception to the report. When it was drawn up into legislation and appeared before this Body, all kinds of objections appeared. Parts of the program were said to be bad and nobody wanted to do anything about it.

After that report came out and some of the legislation was prepared, the people who allegedly speak for the beer people in this Commonwealth came up here and really raised the roof. They felt they were being imposed upon by putting the tax on the bar man and at the consumer level. The Administration, in yielding to this pressure, removed it from the consumer and put it back where it is today, on the distributor and these other people, and this bill passed. It was not until the matter was before us here that they again began to raise the roof because they wanted it back where it was originally.

If they cannot make up their minds, I think somebody should do it for them. The reason it was put at the distributor level was because, first of all, it is easier to collect a tax when there are less people from whom to collect it. Second of all, it is very difficult for anybody to go into a bar and watch every bartender. I am sure that everybody here is familiar with the old cliché and the old story of the owner saying to the bartender, "Are we not partners anymore?" I am afraid the Commonwealth might have to say that to some of these people, also.

I think the difficulty would be in enforcing this tax. The sales tax, as the Senator well knows, is a difficult tax to enforce, at best. Leaving it at that level, where you have so many more people to cover, it would be virtually impossible to do so. The cost in doing so would be so expensive that, perhaps, the tax, by the time you collected it, would not be worth the trouble that you went to originally. That was the reason this was done.

If the Senator can demonstrate that it will bring in the money that he said, without additional personnel to enforce it, I am sure many people would be glad to consider it, as they did other amendments to this Act. However, having failed to vote for this tax, originally, in any

form, I cannot understand how he can now say, "Now that you have voted for it and it is in existence, I now say that you should go ahead and do thus and so." It is very easy to play quarterback and call the signals after the plays have been made and maybe somebody has been hurt by them. If he would now vote for some of the other taxes which are in committee, I think we could raise \$55,000,000 if they would bring out the personal property tax. I think the gentleman should see what he can do about that in order to help Senator Seyler solve the problem which he suggested to him.

Mr. WATKINS. Mr. President, I would like to ask to

be excused. I thought I heard a crack in the roof and I want to get out before it falls in.

### ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Wednesday, September 9, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.

Hr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:45 o'clock, p.m., Eastern Standard Time, until Wednesday, September 9, 1959, at 2:00 o'clock, p.m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, September 2, 1959

The House met at 9:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Reverend Vernon I. Naugle, Pastor of Christ Lutheran Church, Shrewsbury, York County, guest Chaplain and guest of the Chaplain, offered the following prayer:

Gracious God, our Heavenly Father, we invoke Thy presence with this Legislative body this day. Wilt Thou endow them with wisdom and understanding so that all that they may do this day may truly be in accordance with Thy will.

Make each of us aware of Thy presence so that we may be living epistles of Thy will and plan of salvation.

Bless this Commonwealth and all the residents therein, that in fellowship one with the other and with Thee, we may enjoy peace and prosperity.

Forgive, O Father, our many sins, but guide us ever onward to accomplish the things that will be well pleasing to Thee.

This we ask through Jesus Christ, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever one God, world without end. Amen.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, September 1, 1959 will be postponed until printed.

The Chair hears none.

## QUESTION OF PERSONAL PRIVILEGE

Mr. GOODRICH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. GOODRICH. Mr. Speaker, during Monday's session I was called from the Hall of the House to answer the telephone. In my absence the House finally passed House Bill 2146. In checking with the Secretary's office this morning, I find I am recorded as voting aye on that bill. I want the record to show that I am opposed to the bill and would have voted no had I been in my seat.

## PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, Resolution No. 63, Serial No. 68, creating a Joint Committee to investigate election frauds was introduced by me on April 28, 1959, after a very public-spirited citizen in my Legislative District informed me of organized cheating in one of our large cities in this Commonwealth. This constituent requested me to try to remedy this situation which he knew existed for the reason that he was at one time a candidate for public office in that city and experienced organized use of fraudulent assistance in voting being used against him.

This resolution of mine was introduced by me in

April of 1959, and as yet has not been reported to the floor of the House for action and passage by this legislative body. Since I introduced this resolution I have had some very alarming communications in support of it and I would like to read one of them at this time, which is from the Committee of Seventy of Philadelphia, and I quote:

May 4, 1959.

Representative Francis Worley,  
House of Representatives  
State Capitol,  
Harrisburg, Pa.

Dear Mr. Worley:

It has come to my attention that you introduced a resolution in the House of Representatives concerning fraudulent voting in various parts of the Commonwealth. I can assure you that fraudulent voting and illegal assistance are carried on in a number of areas in the City of Philadelphia in the course of both the Party Primaries and the November Elections.

We have referred a number of pieces of fraudulent voting through the use of forged voter certificates to vote to the District Attorney of Philadelphia and to the United States Attorney for this District. We have information upon these numerous first cases which have been referred to these officials over a period of years, and we shall be glad to make copies available to you should this be necessary.

Cordially,

WM. P. CERRILL,  
Chairman, Sub Committee on Elections

Another letter says, "The tombstones should get off of the voting lists in Lackawanna County." Another letter claims that the greatest voting irregularity is the use of voting assistance in Philadelphia. I have more communications but will not take the time of this House to go into them at this time.

Mr. Speaker, it is an eternal threat to democracy to elect a candidate to any public office for whom a majority of the people voting did not vote for or did not vote for voluntarily. It is, in fact, cheating the people out of their sovereignty over this government.

I hope this resolution will be reported to the floor of this House for passage.

## QUESTION OF PERSONAL PRIVILEGE

Mr. COMER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. COMER. Mr. Speaker, I would like to apologize to the Chair and the Members of this House in regard to the interrogation that took place yesterday on House Bill 1702.

I believe my position has been made clear on many occasions in regard to the power of different department heads. It had been my intention to remove the power of the Secretary of Highways and leave that power where it belonged, in this House. I firmly believe that we should have the power to place or to delete roads in this Commonwealth.

I want to inform the House that the next time this bill is called up I am sure the language in those sections will be clear and concise.

### PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, in all fairness to the gentleman from Philadelphia, Mr. Comer, if I implied in any way yesterday that there was anything irregular about the bill or about his knowledge of the bill, I certainly will apologize.

I tried to point out to the House yesterday that I thought the gentleman had given this bill a serious amount of study, I thought the Committee had given it a serious amount of study. It was such a complicated bill that I thought it required a lot more study.

I agree with the gentleman, and I know that when we consider the bill again he will be fully aware of all the things that are in the bill.

### ANNOUNCEMENT

The SPEAKER. The Chair has an announcement of possible interest.

The Chair appoints as a select committee the Messrs. Polen, McCann, Mihm, Helm and Bower, whose duty it shall be to propose a plan of procedure to the House when it reconvenes on Wednesday, September 9. A plan designed to improve the operating facilities of the House during the interim after final adjournment including the feasibility of an electric roll call system; a more efficient arrangement of our public address system; an examination of our filing system of bills; journals on Members' desks to provide adequate working space; to survey and improve rooms allocated to the standing committees, the staff of the House. It shall also be the duty of this select committee to suggest plans for implementing existing legislation for financing the improvement program adopted.

Very frankly, the Chair has become weary of swimming against the tide. Incidentally, there is no need for new legislation authorizing this House to install an electric roll call system. Such legislation, in effect has been in effect for years, has never been repealed, and the Chair helped write it. Our previous efforts to install an electric roll call system was sabotaged after considerable initial work, wiring beneath the floor of the Chamber in which we sit. It is essential that if we are to proceed along the lines suggested for the consideration by the Committees that we establish funds over which this House has absolute control.

The Chair wants to say again, he is weary of swimming against the tide. We had to crowd a proposed increase in compensation for the Members down many a reluctant throat in this Chamber, and I want to pay tribute to the gentleman from Northumberland, Mr. Bower, and the gentleman from Allegheny, Mr. Wilt, and, incidentally, the gentleman from Lancaster Mr. Wood, who spent hours and hours and hours devising the retirement system under which the Members of this House are now included. It came about that after we had crowded the pay increase down reluctant throats and many of those most reluctant were the first in line for the increased pay checks.

We are caught again in a maze of opposition in our efforts to provide the Members of this House with adequate Committee service. All along the line we have encountered opposition in our effort to establish this House in a role of greater increased efficiency. So it will be the

province of this Select Committee to report to this House suggested means of implementing the existing legislation relating particularly to the installation of an electric roll call system. It is, of course, news to most of the Members of this House who have served during the years that such legislation was on the statute books and that it only remains for someone in the midst of the various caucuses to take the effective steps which the Chair has felt he has been forced to take.

The Chair is not going to endeavor to crowd any of these improvements down the throat of this House. Those microphones are not modern, they are not efficient, they are awkward to talk into; the control ought to be up there in the gallery. There are so many other things that we should do for and on behalf of ourselves, particularly to see to it that an adequate amount of money is set aside so that it is under the exclusive control of this House and that our plans therefor cannot be impeded either by the other Chamber or by the executive branch of this government. The Chair thinks such an arrangement can be made and hopes that the battle made to improve the salaries of Legislative employes and the working conditions is culminated in the enactment of legislation and will not, in its final stages, bog down and fail.

The Chair thanks the House for its attention.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 477.

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" increasing and fixing the salaries of certain county officers.

#### SENATE BILL No. 478.

An Act amending the act of June 25, 1947 (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" increasing the salaries of certain employes and county officers.

#### SENATE BILL No. 479.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain county officers in counties of the eighth class.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill



from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1.

An Act amending the act of June 11 1947 (P. L. 565) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties" extending the time during which applications may be filed for veterans' compensation and making an appropriation

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 18, by striking out the following: "Section 2. The sum of forty-one" and inserting in lieu thereof the following: "Section 2. The sum of"; page 3, line 1, by striking out after the word "of" the following: "forty-one thousand four hundred ten (\$41,410)" and inserting in lieu thereof the following: "thirty-five thousand dollars (\$35,000)"; page 3, by inserting after line 9 the following: "Section 3. This act shall take effect immediately."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—183

Agnew,	Fox,	McCann,	Royer,
Anderson,	Frank,	McDonald,	Rudisill,
Arlene,	Frascella,	McInroy,	Sakulsky,
Auker,	Fulmer,	McKeever,	Scarcelli,
Balthaser,	Galley,	McLaughlin,	Schaaf,
Barton,	Garlock,	Machmer,	Schuster,
Bell,	Gallagher,	Magee,	Schwartz,
Botes,	Gelfand,	Mahan,	Seltzer,
Bonner,	George,	Markley,	Sherman,
Boris,	Gibb,	Maxwell,	Shupnik,
Bower,	Goldstein,	Meholchick,	Silverman,
Bowman,	Goodrich,	Mihm,	Snider,
Branca,	Gramlich,	Miller, B. Z.,	Stank,
Brenninger,	Guthrie,	Miller, H. G.,	Steckel,
Breth,	Hamilton,	Monroe,	Stewart,
Buchanan,	Heffner,	Muldowney,	Stimmel,
Burns,	Helm,	Mullen,	Stone,
Capano,	Henzel,	Munley,	Stoner,
Capitolo,	Hocker,	Murphy, A. J., Jr.	Strausser,
Cianfrani,	Holliday,	Murphy, P. J.,	Stroup,
Cioffi,	Holt,	Murray, H. P.,	Taylor,
Clarke,	Horst,	Murray, J. J.,	Tompkins,
Comer,	Irvie,	Musto,	Trusio,
Crossin,	Isaacs,	Naugle,	Ujohal,
Curwood,	Jenkins,	Needham,	Varallo,
Davis,	Jim,	O'Donnell, J. A.,	Varner,
Dengler,	Johnson, A. W.,	O'Donnell, J. P.	Verona,
Dennis,	Johnson, R.,	Odorisio,	Wall,
Dennison,	Jones, F. R.,	Ogilvie,	Wargo,
Devlin,	Kamyk,	O'Neil,	Weidner,
Donahue,	Kee,	Pashley,	Welsh,
Donaldson,	Keiser,	Perry, H. H.,	Wescott,
Dougherty,	Kernaghan,	Perry, P. E.,	Wheeler,
Down,	Kessler,	Petrosky,	Williams, A.D., Jr.,
Edwards,	Kooker,	Polaski,	Williams, E. S.,
Eilberg,	Korn,	Polen,	Willard,
Eshback,	Kovolenko,	Prendergast,	Willaredt,
Eshleman,	Kubitsky,	Price,	Wilt,
Ewing,	Lamb,	Pursley,	Wood,
Farabaugh,	Lee, A. M.,		Worley,

Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,

Lee, K. B.,  
Leonard,  
Limper,  
Lippincott,  
Lopresti,  
Lutty,

Reibman,  
Reidenbach,  
Renwick,  
Rigby,  
Riley,  
Rovanske,

Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,  
Speaker

#### NAYS—0

#### NOT VOTING—25

Ashton,  
Blair,  
Brown,  
Cooper,  
Heavey,  
Jones, T. H. W.,  
Jump,

Knecht,  
Kornick,  
Light,  
Luigard,  
McCandless,  
McCormack,

Merry,  
Mills,  
Moran,  
Murray, P. G.,  
Nelson,  
O'Dell,

Snare,  
Stevens,  
Sullivan,  
Thompson,  
Walsh,  
Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 141.

An Act imposing liability upon parents for the wilful and malicious acts of children over seven and under seventeen years of age, setting forth limitations and providing procedure for recovery, authorizing the recovery of damages from parents of children destroying property.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Title by striking out the following: "Imposing liability upon parents for the wilful and malicious acts of children over seven and under seventeen years of age, setting forth limitations and providing procedure for recovery"; and inserting in lieu thereof the following: "authorizing the recovery of damages from parents of children destroying property."

Page 2, by striking out the following:

Section 1. As used in this act.

(1) "Person" includes natural persons partnerships associations private and public corporations authorities fiduciaries the United States and any governmental agency thereof and the Commonwealth of Pennsylvania and any agency or political subdivision thereof.

(2) "Parent" includes natural or adopted parents or persons who stand in loco parentis with respect to any child.

Section 2. The parents or any parent whose child over the age of seven and under the age of seventeen years commits a wilful and malicious act resulting in injury to the person or theft destruction or loss of property of another shall be liable in a suit filed in a court of competent jurisdiction to the person who suffers the injury theft destruction or loss to the extent hereinafter set forth.

Section 3. (a) Liability of the parents shall be limited to three hundred dollars (\$300) for injuries to the person or theft destruction or loss of property suffered by any one person as a result of one wilful and malicious act or continuous series of wilful and malicious acts.

(b) Liability of the parents shall be limited to one thousand dollars (\$1000) regardless of the number of persons who suffer injury to the person or theft destruc-



tion or loss of property as a result of one wilful and malicious act or continuous series of wilful and malicious acts. In the event that actual loss exceeds one thousand dollars (\$1000) the parents shall be discharged from further liability by the payment of one thousand dollars (\$1000) into court. (c) The procedure for determining liability of parents and the extent thereof shall be in accordance with laws and the Pennsylvania rules of civil procedure relating to actions in trespass. All costs and fees thus incurred shall be paid from the one thousand dollars (\$1000) paid into court.

(b) The limitations on liability set forth in subsections (a) and (b) of this section shall be applicable when two or more children of the same parent engage jointly in the commission of one wilful and malicious act or series of wilful and malicious acts the liability imposed upon a parent by this act when two or more children of different parents engage jointly in the commissions of one wilful and malicious act or series of wilful and malicious acts shall be limited to three hundred dollars (\$300).

Section 4. The liability imposed upon parents by this act shall not limit the common law liability of parents for damages caused by a child and shall be separate and apart from any liability which may be imposed upon the child. The parent shall have no right of indemnity or contribution against the child but any recovery under this act shall be in diminution of any recovery in any other action against either the parent or child. In no case shall there be more than one recovery for one injury.

Section 5. No parent shall be liable under the provisions of this act if the child committed the act as the result of circumstances over which the parent had no control and unless he or she (1) had custody of the child when the act was committed and either:

(2) Wilfully failed to perform his or her duties as parents in restraining and controlling such child and neglect facilitated the commission of the wilful and malicious act or:

(3) He or she conducted or participated in the wilful and malicious act.

And inserting in lieu thereof the following:

Section 1. The Commonwealth its political subdivisions and any person whose property is wilfully or maliciously destroyed by a child under the age of eighteen years may recover from the parents of such child the actual damages to the property in an amount not to exceed two hundred fifty dollars (\$250) in an action in assumpsit if such child is living with his parents at the time the property is destroyed.

The provisions of this act shall not limit to any extent any common law liability of a parent for damages caused by his or her child.

Section 2. Whenever any action under this act is brought before a magistrate alderman or justice of the peace the decisions thereon may be appealed to the court of common pleas of the proper county or the county court of Allegheny county or the municipal court of Philadelphia.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 163.

An Act amending the act of May 28, 1937 (P. L. 1053)

entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rate and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract carrier by motor vehicle in certain cases.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 5, line 8, by striking out after the word "by" the word "any" and inserting in lieu thereof the word "the"; line 9, by inserting the bracket after the word "children," and after the word "purposes;" and by inserting after the word "purposes" the words "between their homes and school"; line 12, by inserting after the word "curricular" the words "or educational", line 14, by inserting after the word "number" the following: "if the person performing the extra curricular transportation has a contract"; line 16, by striking out after the word contract the following: "with the school or school district in which the school is located for the transportation of its students between their homes and school and maintain a copy of all contracts in the vehicle at all times" and inserting in lieu thereof the following: "for the transportation of school children"; page 6, line 1, by striking out the words "between their homes and school for school purposes" and inserting in lieu thereof the following: "for school



purposes with the private or parochial school with the school district or jointure in which the school is located or with a school district that is a member of a jointure in which the school is located if the jointure has no contracts with other persons for the transportation of students between their homes and school and if the person maintains a copy of all contracts in the vehicle at all times"; line 14, by striking out the word "any" where it first appears and inserting in lieu thereof the word "the"; line 17, by striking out after the word "or" the word "fram" and inserting in lieu thereof the word "farm"; page 8, line 13, by striking out the word "any" and inserting in lieu thereof the word "the"; line 14, by striking out after the word "school" where it first appears the word "of" and inserting in lieu thereof the word "or"; line 14, by inserting after the word "children" a bracket; line 15, by inserting after the word "purposes" a bracket and the words "between their homes and school"; and by striking out the following where it appears the second time: "between their homes and school"; line 17, by inserting after the word "curricular" the words "or educational"; line 20, by inserting after the word "number" the following: "if the person performing the extra curricular transportation has a contract"; page 9, line 1, by striking out the following: "with the school or school district in which the school is located for the transportation of its students between their homes and school and maintain a copy of all contracts in the vehicle at all times" and inserting in lieu thereof the following: "for the transportation of school children"; line 6, by striking out after the word "children" the following: "between their homes and school purposes" and inserting in lieu thereof the following: "between their homes and school with the private or parochial school with the school district or jointure in which the school is located or with a school district that is a member of a jointure in which the school is located if the jointure has no contracts with other persons for the transportation of students between their homes and school and if the person maintains a copy of all contracts in the vehicle at all times"; page 10, line 1, by striking out where it appears the first time the word "any" and inserting in lieu thereof the word "the."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCann. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 195.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing Commonwealth reimbursement to school districts on account of migratory children attending their schools.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11 by striking out after

the word "of" the word seasonable" and inserting in lieu thereof the words "seasonal agricultural".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—185

Agnew,	Fox,	McCandless,	Riley,
Anderson,	Frank,	McCann,	Rudisill,
Arlene,	Frascella,	McDonald,	Sakulsky,
Auker,	Fulmer,	McInroy,	Scarcell,
Balthaser,	Galley,	McKeever,	SchAAF,
Barton,	Gallagher,	McLaughlin,	Schuster,
Bell,	Garlock,	Machmer,	Schwartz,
Boles,	Gelfand,	Magee,	Seltzer,
Bonner,	George,	Mahan,	Sherman,
Boris,	Gibb,	Markley,	Shupnik,
Bower,	Goldstein,	Maxwell,	Silverman,
Bowman,	Goodrich,	Meholchick,	Snider,
Branca,	Gramlich,	Mihm,	Stank,
Brenninger,	Guthrie,	Miller, B. Z.,	Steckel,
Breth,	Hamilton,	Miller, H. G.,	Stewart,
Buchanan,	Heffner,	Monroe,	Stimmel,
Burns,	Helm,	Muldowney,	Stone,
Capano,	Henzel,	Mullen,	Stoner,
Capitolo,	Hocker,	Munley,	Strausser,
Cianfrani,	Holliday,	Murphy, A. J., Jr.	Stroup,
Cioffi,	Holt,	Murphy, P. J.,	Taylor,
Clarke,	Horst,	Murray, H. P.,	Tompkins,
Comer,	Irviss,	Murray, J. J.,	Trusio,
Crossin,	Isaacs,	Masto,	Ujobai,
Curwood,	Jenkins,	Naugle,	Varallo,
Davis,	Jim,	Needham,	Varnier,
Dengler,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Dennis,	Johnson, R.,	O'Donnell, J. P.	Wall,
Dennison,	Jones, F. R.,	Ogorislo,	Wargo,
Devlin,	Kamyk,	Odorvie,	Weidner,
Donahue,	Kee,	O'Neil,	Welsh,
Donaldson,	Keiser,	Parlante,	Wescott,
Dougherty,	Kernaghan,	Pashley,	Wheeler,
Down,	Kessler,	Perry, H. H.,	Whittaker,
Edwards,	Kooker,	Perry, P. E.,	Williams, A. D., Jr.,
Ellberg,	Korna,	Petrosky,	Williams, E. S.,
Eshback,	Kovolenko,	Polaski,	Willard,
Eshleman,	Kubitsky,	Polen,	Willaredt,
Ewing,	Lamb,	Prendergast,	Wilt,
Farabaugh,	Lee, A. M.,	Price,	Wood,
Fetterolf,	Lee, K. B.,	Pursley,	Worley,
Filo,	Leonard,	Reibman,	Wynd,
Fineman,	Limper,	Reidenbach,	Yatron,
Floyd,	Lippincott,	Renwick,	Yetter,
Flynn,	Lopresti,	Rigby,	Zimmerman,
Foerster,	Lutty,	Rovansek,	Andrews,
		Royer,	Speaker

#### NAYS—0

#### NOT VOTING—23

Ashton,	Jump,	Merry,	Snare,
Blair,	Knecht,	Mills,	Stevens,
Brown,	Kornick,	Moran,	Sullivan,
Cooper,	Light,	Murray, P. G.,	Thompson,
Heavey,	Luigard,	Nelson,	Walsh,
Jones, T. H. W.,	McCormack,	O'Dell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 323.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" extending the time in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidence of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 6, page 7, line 18, by striking out the words "If it" and inserting in lieu thereof the word "It"; Section 9, page 12, by striking out after line 19 the following:

"(8) To borrow money and pledge its assets therefor in an amount which at any one time shall not exceed an amount equal to twenty-five per cent of the unimpaired capital and unimpaired surplus during a continuous period not exceeding three months unless a longer period is approved by the department such borrowings must have received the prior approval of the board of directors"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

- |             |            |                |            |
|-------------|------------|----------------|------------|
| Agnew,      | Frank,     | McDonald,      | Rudisill,  |
| Anderson,   | Frascella, | McInroy,       | Sakulsky,  |
| Arlene,     | Fulmer,    | McKeever,      | Scarcelli, |
| Auker,      | Galley,    | McLaughlin,    | Schaaf,    |
| Balthaser,  | Gallagher, | Machmer,       | Schuster,  |
| Barton,     | Garlock,   | Magee,         | Schwartz,  |
| Bell,       | Gelfand,   | Mahan,         | Seltzer,   |
| Boles,      | George,    | Markley,       | Sherman,   |
| Bonner,     | Gibb,      | Maxwell,       | Shupnik,   |
| Boris,      | Goldstein, | Meholchick,    | Silverman, |
| Bower,      | Goodrich,  | Mihm,          | Snider,    |
| Bowman,     | Gramlich,  | Miller, B. Z., | Stank,     |
| Branca,     | Guthrie,   | Miller, H. G., | Steckel,   |
| Brenninger, | Hamilton,  | Monroe,        | Stewart,   |

- |            |                 |                     |                       |
|------------|-----------------|---------------------|-----------------------|
| Breth,     | Heffner,        | Muldowney,          | Stimmel,              |
| Buchanan,  | Helm,           | Mullen,             | Stone,                |
| Burns,     | Henzel,         | Munley,             | Stoner,               |
| Capano,    | Hocker,         | Murphy, A. J., Jr., | Strausser,            |
| Capitolo,  | Holliday,       | Murphy, P. J.,      | Stroup,               |
| Cianfrani, | Holt,           | Murray, H. P.       | Taylor,               |
| Cioffi,    | Horst,          | Murray, J. J.,      | Tompkins,             |
| Clarke,    | Irvls,          | Musto,              | Truslo,               |
| Comer,     | Isaacs,         | Naugle,             | Ujohal,               |
| Crossin,   | Jenkins,        | Needham,            | Varallo,              |
| Curwood,   | Jim,            | Nelson,             | Varnier,              |
| Davis,     | Johnson, A. W., | O'Donnell, J. A.,   | Verona,               |
| Dengler,   | Johnson, R.,    | O'Donnell, J. P.,   | Wall,                 |
| Dennis,    | Jones, F. R.,   | Odorisio,           | Wargo,                |
| Dennison,  | Kamyk,          | Ogilvie,            | Weidner,              |
| Devlin,    | Kee,            | O'Neil,             | Welsh,                |
| Donahue,   | Kelser,         | Parlante,           | Wescott,              |
| Donaldson, | Kernaghan,      | Pashley,            | Wheeler,              |
| Dougherty, | Kessler,        | Perry, P. E.,       | Whittaker,            |
| Down,      | Kooker,         | Perry, H. H.,       | Williams, A. D., Jr., |
| Edwards,   | Korns,          | Petrosky,           | Williams, E. S.,      |
| Ellberg,   | Kovolenko,      | Polaski,            | Willard,              |
| Eshback,   | Kubitsky,       | Polen,              | Willaredt,            |
| Eshleman,  | Lamb,           | Prendergast,        | Wilt,                 |
| Ewing,     | Lee, A. M.,     | Price,              | Wood,                 |
| Farabaugh, | Lee, K. B.,     | Pursley,            | Worley,               |
| Fetterolf, | Leonard,        | Reibman,            | Wynd,                 |
| Filo,      | Limper,         | Reidenbach,         | Yatron,               |
| Fineman,   | Lippincott,     | Renwick,            | Yetter,               |
| Floyd,     | Lopresti,       | Rigby,              | Zimmerman,            |
| Flynn,     | Lutty,          | Riley,              | Andrews,              |
| Foerster,  | McCandless,     | Rovansek,           | Speaker               |
| Fox,       | McCann,         | Royer,              |                       |

NAYS—0

NOT VOTING—22

- |                  |            |                |           |
|------------------|------------|----------------|-----------|
| Ashton,          | Jump,      | Merry,         | Snare,    |
| Blair,           | Knecht,    | Mills,         | Stevens,  |
| Brown,           | Kornick,   | Moran,         | Sullivan, |
| Cooper,          | Light,     | Murray, P. G., | Thompson, |
| Heavey,          | Lulgard,   | O'Dell,        | Walsh,    |
| Jones, T. H. W., | McCormack, |                |           |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered as follows:

HOUSE BILL No. 609.

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid" by making this act apply to turtles frogs and tadpoles changing creel limits and revising methods of taking.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 2, page 3, line 7, by striking out after the words "(frogs or)" the word "turtles"; page 5 by inserting after line 3 the following: "Section 4 The act is



amended by adding after section 5 thereof a new section to read": "Section 5.1 Frogs and Turtles may be taken only by persons holding Pennsylvania fishing licenses"; line 9, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "5."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—186

Agnew,	Frank,	McDonald,	Rudisill,
Anderson,	Frascella,	McInroy,	Sakulsky,
Arlene,	Fulmer,	McKeever,	Scarcelli,
Auker,	Galley,	McLaughlin,	Schaaf,
Balthaser,	Gallagher,	Machmer,	Schuster,
Barton,	Garlock,	Magee,	Schwartz,
Bell,	Gelfand,	Mahan,	Seltzer,
Botes,	George,	Markley,	Sherman,
Bonner,	Gibb,	Maxwell,	Shupnik,
Boris,	Goldstein,	Meholchick,	Silverman,
Bower,	Goodrich,	Mihm,	Snider,
Bowman,	Gramlich,	Miller, B. Z.,	Stank,
Brenninger,	Guthrie,	Miller, H. G.,	Steckel,
Branca,	Hamilton,	Monroe,	Stewart,
Breth,	Heffner,	Muldowney,	Stimmel,
Buchanan,	Helm,	Mullen,	Stone,
Burns,	Henzel,	Munley,	Stoner,
Capano,	Hocker,	Murphy, A. J., Jr.,	Strausser,
Capitolo,	Holliday,	Murphy, P. J.,	Stroup,
Cianfrani,	Holt,	Murray, H. P.,	Taylor,
Cloffi,	Horst,	Murray, J. J.,	Tompkins,
Clarke,	Irvis,	Musto,	Trusio,
Comer,	Isaacs,	Naugle,	Ujobai,
Crossin,	Jenkins,	Needham,	Varallo,
Curwood,	Jim,	Nelson,	Varnier,
Davis,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Dengler,	Johnson, R.,	O'Donnell, J. P.,	Wall,
Dennis,	Jones, F. R.,	O'Dorisio,	Wargo,
Dennison,	Kamyk,	Ogilvie,	Weidner,
Devlin,	Kee,	O'Neil,	Welsh,
Donahue,	Kelser,	Parlante,	Wescott,
Donaldson,	Kernaghan,	Pashley,	Wheeler,
Dougherty,	Kessler,	Perry, H. H.,	Whittaker,
Down,	Kooker,	Perry, P. E.,	Williams, A. D., Jr.,
Edwards,	Korns,	Petrosky,	Williams, E. S.,
Ellberg,	Kovolenko,	Polaski,	Willard,
Eshback,	Kubitsky,	Polen,	Willaredt,
Eshleman,	Lee, A. M.,	Prendergast,	Wilt,
Ewing,	Lee, K. B.,	Price,	Wood,
Farabaugh,	Lamb,	Pursley,	Worley,
Fetterolf,	Leonard,	Reibman,	Wynd,
Filo,	Limper,	Reidenbach,	Yatron,
Fineman,	Lippincott,	Renwick,	Yetter,
Floyd,	Lopresti,	Rigby,	Zimmerman,
Flynn,	Lutty,	Riley,	Andrews,
Foerster,	McCandless,	Rovansek,	Speaker
Fox,	McCann,	Royer,	

#### NAYS—0

#### NOT VOTING—22

Ashton,	Jump,	Merry,	Snare,
Blair,	Knecht,	Mills,	Stevens,
Brown,	Kornick,	Moran,	Sullivan,
Cooper,	Light,	Murray, P. G.,	Thompson,
Heavey,	Luigard,	O'Dell,	Walsh,
Jones, T. H. W.,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of representatives numbered and entitled as follows:

#### HOUSE BILL No. 621.

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to safety in the underground bituminous coal mines and the preparation of a modern code relating thereto.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows.

Amend Title, page 1, line 2, by striking out the word "of" the word "all" and inserting in lieu thereof the word "all": line 3, by striking out at the beginning of the line the words "safety in the" and inserting in lieu thereof the word "underground."

Amend Section 1, page 2, line 4, striking out after the word "operators" the following: "and the bargaining agent. The commission shall organize at the call of the Governor by electing a chairman and secretary. The secretary need not be a member of the commission. The members of the commission shall serve without compensation. Vacancies occurring in the membership of the commission shall be filled by appointment by the Governor" and inserting in lieu thereof the following: "from a panel of at least five names submitted by the associations representing the underground bituminous coal mine operators of the Commonwealth the governor shall appoint the members representing the bargaining agent of the soft coal mining industry from a panel of at least five names submitted by the collective bargaining agent or agents agency for mine employes in the bituminous coal mines of the Commonwealth. The members of the commission shall serve without compensation. Vacancies occurring in the membership of the commission shall be filled by appointment by the governor in the same manner as original appointments are made"; Section 2, page 3, line 6, by striking out after the word "to" the words "safety in the" and inserting in lieu thereof the word "underground"; page 3, line 19, by striking out the following: "Section 4 The commission shall make a preliminary report to the Governor and the General Assembly during the 1959 session of the General Assembly and shall make its final report to the Governor and the General Assembly together with such proposed legislation as it deems necessary to carry its recommendations into effect during the next subsequent session of the General Assembly" and inserting in lieu thereof the following: "Section 4 The commission shall make a report to the Governor and to the General Assembly during the 1959 session of the General Assembly or during the next subsequent regular session of the General Assembly following the 1959 session together with a draft of such proposed legislation as it deems necessary to carry its recommendations into effect such report and proposed legislation shall be made with the concurrence of each of the seven members of the commission if unanimous concurrence cannot be achieved the commission shall make no report or recommendations to the Governor or to the General Assembly. The existence of the commission shall terminate upon the making of its report or if no report is made at the final adjournment of the next subsequent regular session of the General Assembly following the 1959 session."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.



## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 869.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the figure "1" the words "The first paragraph of section" and inserting in lieu thereof the word "section"; line 16, by inserting the following: "No such expenditures nor purchases may be made by any school district unless in accordance with a budget submitted by the district and approved by the Department of Public Instruction. The total expenditure by the Commonwealth hereunder shall not exceed seventy-five percent of a sum which would have been expended for the tuition and maintenance of any such child in a residential school for the blind including partially sighted deaf or those afflicted with cerebral palsy that has been approved by the department of Public Instruction for the education of the blind partially sighted deaf or those afflicted with cerebral palsy

The services of such readers helpers and guides may be contracted and paid for by the school districts irrespective of the age of the person rendering such assistance and of the employment of such person by the school district as a teacher or otherwise and of the time and place where such services are rendered.

The Department of Public Instruction shall establish such necessary rules regulations and standards as it may deem necessary for carrying out the provisions of this act.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Agnew,	Frank,	McDonald,	Rudisill,
Anderson,	Frascella,	McInroy,	Sakulsky,
Arlene,	Fulmer,	McKeever,	Scarcell,
Auker,	Galley,	McLaughlin,	Schaaf,
Balthaser,	Gallagher,	Machmer,	Schuster,
Barton,	Garlock,	Magee,	Schwartz,
Bell,	Gelfand,	Mahan,	Seltzer,
Boles,	George,	Markley,	Sherman,
Bonner,	Gibb,	Maxwell,	Shupnik,
Boris,	Goldstein,	Meholchick,	Silverman,
Bower,	Goodrich,	Mihm,	Snider,
Bowman,	Gramlich,	Miller, B. Z.,	Stank,
Branca,	Guthrie,	Miller, H. G.,	Steckel,
Brenninger,	Hamilton,	Monroe,	Stewart,
Breth,	Heffner,	Muldowney,	Stimmel,
Buchanan,	Helm,	Mullen,	Stone,
Burns,	Henzel,	Munley,	Stoner,

Capano,	Hocker,	Murphy, A. J., Jr.	Strausser,
Capitolo,	Holliday,	Murphy, P. J.,	Stroup,
Cianfrani,	Holt,	Murray, H. P.,	Taylor,
Cioffi,	Horst,	Murray, J. J.,	Tompkins,
Clarke,	Irviss,	Musto,	Trusilo,
Comer,	Isaacs,	Naugle,	Ujobai,
Crossin,	Jenkins,	Needham,	Varallo,
Curwood,	Jim,	Nelson,	Varnar,
Davis,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Dengler,	Johnson, R.,	O'Donnell, J. P.	Wall,
Dennis,	Jones, F. R.,	Odorisio,	Wargo,
Dennison,	Kamyk,	Ogilvie,	Weidner,
Devlin,	Kee,	O'Neil,	Welsh,
Donahue,	Kelser,	Parlante,	Wescott,
Donaldson,	Kernaghan,	Pashley,	Wheeler,
Dougherty,	Kessler,	Perry, H. H.,	Whittaker,
Down,	Kooker,	Perry, P. E.,	Williams, A. D., Jr.,
Edwards,	Korns,	Petrosky,	Williams, E. S.,
Ellberg,	Kovolenko,	Polaski,	Willard,
Eshback,	Kubitsky,	Polen,	Willaredt,
Eshleman,	Lamb,	Prendergast,	Wilt,
Ewing,	Lee, A. M.,	Price,	Wood,
Farabaugh,	Lee, K. B.,	Pursley,	Worley,
Fetterolf,	Leonard,	Reibman,	Wynd,
Filo,	Limper,	Reidenbach,	Yatron,
Fineman,	Lippincott,	Renwick,	Yetter,
Floyd,	Lopresti,	Rigby,	Zimmerman,
Flynn,	Lutty,	Riley,	Andrews,
Foerster,	McCandless,	Rovansek,	Speaker
Fox,	McCann,	Royer,	

NAYS—0

NOT VOTING—22

Ashton,	Jump,	Merry,	Snare,
Blair,	Knecht,	Mills,	Stevens,
Brown,	Kornick,	Moran,	Sullivan,
Cooper,	Light,	Murray, P. G.,	Thompson,
Heavey,	Luigard,	O'Dell,	Walsh,
Jones, T. H. W.,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR  
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1029.

An Act amending the act of June 25, 1941 (P. L. 159), entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by striking out after the word "class" the word "a" and inserting in lieu thereof the word "A;" page 3, by inserting after line 5



the following: "Section 2, Subsections (A) and (B) of Section 203 Act of June 25, 1941 (P. L. 159) is amended to read:

Section 203. Increase of debt by issuance of general obligation bonds by corporate authorities and with the assent of electors (A) Any municipality may incur debt or increase its debt by the issue of general obligation bonds by vote of the corporate authorities thereof without the assent of the electors to an amount in the aggregate not exceeding two per centum except school districts which shall not exceed five per centum of the assessed evaluation.

(B) The debt of any municipality except a school district of the first class may be authorized to be increased by the corporate authorities thereof by the issue of general obligation bonds with the assent of a majority of the electors thereof voting on the question submitted at a public election to be held in the municipality to an amount not exceeding seven per centum except school districts which shall never exceed fifteen per centum of the assessed valuation.

Page 4, line 10, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the number "3;" line 13, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "4."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Frank,	McDonald,	Rudisill,
Anderson,	Frascella,	McInroy,	Sakulsky,
Arlene,	Fulmer,	McKeever,	Scarcelll,
Auker,	Galley,	McLaughlin,	Schaaf,
Balthaser,	Gallagher,	Machmer,	Schuster,
Barton,	Garlock,	Magee,	Schwartz,
Bell,	Gelfand,	Mahan,	Seltzer,
Boles,	George,	Markley,	Sherman,
Bonner,	Gibb,	Maxwell,	Shupnlk,
Boris,	Goldstein,	Meholchick,	Silverman,
Bower,	Goodrich,	Mihm,	Snider,
Bowman,	Gramlich,	Miller, B. Z.,	Stank,
Brallca,	Guthrie,	Miller, H. G.,	Steckel,
Brenninger,	Hamilton,	Monroe,	Stewart,
Breth,	Heffner,	Muldowney,	Stimmel,
Buchanan,	Helm,	Mullen,	Stone,
Burns,	Henzel,	Munley,	Stoner,
Capano,	Hocker,	Murphy, A. J., Jr.	Strausser,
Capitolo,	Holliday,	Murphy, P. J.,	Stroup,
Cianfrani,	Holt,	Murray, H. P.,	Taylor,
Cioffi,	Horst,	Murray, J. J.,	Tompkins,
Clarke,	Irlis,	Musto,	Trusio,
Comer,	Isaacs,	Naugle,	Ujobal,
Curwood,	Jenkins,	Needham,	Varallo,
Crossin,	Jim,	Nelson,	Varnier,
Davis,	Johnson, A. W.,	O'Donnell, J. A.,	Verona,
Dengler,	Johnson, R.,	O'Donnell, J. P.	Wall,
Dennis,	Jones, F. R.,	Odorisio,	Wargo,
Dennison,	Kamyk,	Ogilvie,	Weidner,
Devlin,	Kee,	O'Neil,	Welsh,
Donahue,	Keiser,	Parlante,	Wescott,
Donaldson,	Kernaghan,	Pashley,	Wheeler,
Dougherty,	Kessler,	Perry, H. H.,	Whittaker,
Down,	Kooker,	Perry, P. E.,	Williams, A. D. Jr.,
Edwards,	Korns,	Petrosky,	Williams, E. S.,
Eilberg,	Kovolenko,	Polaski,	Willard,
Eshback,	Kubitsky,	Polen,	Willaredt,
Eshleman,	Lamb,	Prendergast,	Wilt,
Ewing,	Lee, A. M.,	Price,	Wood,
Farabaugh,	Lee, K. B.,	Pursley,	Worley,
Fetterolf,	Leonard,	Reibman,	Wynd,
Filo,	Limper,	Reidenbach,	Yatron,
Fineman,	Lippincott,	Renwick,	Yetter,
Floyd,	Lopresti,	Rigby,	Zimmerman,
Flynn,	Lutty,	Riley,	Andrews,
Foerster,	McCandless,	Rovansek,	Speaker
Fox,	McCann,	Royer,	

NAYS—0

## NOT VOTING—22

Ashton,	Jump,	Merry,	Snare,
Blair,	Knecht,	Mills,	Stevens,
Brown,	Kornick,	Moran,	Sullivan,
Cooper,	Light,	Murray, P. G.,	Thompson,
Heavey,	Luigard,	O'Dell,	Walsh,
Jones, T. H. W.,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1305.

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "An act empowering cities of the second class of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amed page 8, by inserting after line 3, the following: "Section 3 This act shall taken effect immediately."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Frank,	McDonald,	Rudisill,
Andrews,	Frascella,	McInroy,	Sakulsky,
Arlene,	Fulmer,	McKeever,	Scarcelll,
Auker,	Galley,	McLaughlin,	Schaaf,
Balthaser,	Gallagher,	Machmer,	Schuster,
Barton,	Garlock,	Magee,	Schwartz,
Bell,	Gelfand,	Mahan,	Seltzer,
Boles,	George,	Markley,	Sherman,
Bonner,	Gibb,	Maxwell,	Shupnlk,
Boris,	Goldstein,	Meholchick,	Silverman,
Bower,	Goodrich,	Mihm,	Snider,
Bowman,	Gramlich,	Miller, B. Z.,	Stank,
Branca,	Guthrie,	Miller, H. G.,	Steckel,
Brenninger,	Hamilton,	Monroe,	Stewart,
Breth,	Heffner,	Muldowney,	Stimmel,
Buchanan,	Helm,	Mullen,	Stone,
Burns,	Henzel,	Munley,	Stoner,
Capano,	Hocker,	Murphy, A. J., Jr.	Strausser,
Capitolo,	Holliday,	Murphy, P. J.,	Stroup,

Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Lutty, McCandless, McCann,	Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer,	Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willardt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Anderson, Speaker
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## NAYS—0

## NOT VOTING—22

Ashton, Blair, Brown, Cooper, Heavey, Jones, T. H. W.,	Jump, Knecht, Kornick, Light, Luigard, McCormack,	Merry, Mills, Moran, Murray, P. G., O'Dell, Snare,	Stevens, Sullivan, Thompson, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1658.

An Act amending the act of April 29, 1959 (Act No. 32), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" by making the time when a red light shall be placed on objects extending beyond the chassis conform with the time when lights shall be displayed on all vehicles and tractors and further providing for the visibility of such lights.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 7, by inserting after the word "tractors" the words "and further providing for the visibility of such lights;" Section 1, page 2, line 12, by striking out after the word "least" the words "two hundred (200)" and inserting in lieu thereof the following: "five hundred (500)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—188

Agnew, Anderson, Arlene, Auker, Baithaser, Barton, Bell, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox,	Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Kelser, Kernaghan, Kessler, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	McCann, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Milhm, Miller, B. Z., Miller, H. G., Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck,	Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Taylor, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willardt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—20

Ashton, Blair, Brown, Cooper, Heavey,	Jones, T. H. W., Jump, Knecht, Kornick, Light,	McCormack, Merry, Mills, Moran, Murray, P. G.,	O'Dell, Snare, Sullivan, Thompson, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 31, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Wednesday, September 9, 1959, at two o'clock p. m., EST. and when the House of Representatives adjourns this week, it reconvene on Wednesday, September 9, 1959, at two-thirty o'clock p.m., EST.



Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. McCANN. For the information of the Members of the House, the message that has just been read deals with the operation of this House next week. The time of starting the operation of the House has been changed to 2:30 EST or 3:30 DST, one hour earlier. We are going to concur in this resolution, and I bring to the attention of the Members of the House that for the Democratic House Members the caucus notice will say, Wednesday, September 9. The caucus will be at 1:00 p. m., DST, and the House will convene at 2:30 EST or 3:30 DST, a change from normal procedure of one hour.

Mr. A. W. JOHNSON. Mr. Speaker, we previously had announced in our caucus that our caucus would be at the usual time, 2:00 o'clock DST, which will mean we will caucus for one hour and a half before the Session on Wednesday.

On the question recurring,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 142.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

#### HOUSE BILL No. 223.

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during the time of combat.

#### HOUSE BILL No. 256.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), designating magistrates aldermen or justices of the peace before whom the informations charging summary offenses may be brought.

#### HOUSE BILL No. 1714.

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

With the information that the Senate has passed the same without amendment.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CURWOOD asked and obtained permission for the Committee on Fisheries to meet during the session of the House.

## REPORTS FROM COMMITTEE

Mr. HAMILTON from the Committee on Appropriations, reported as amended, House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions, and repealing inconsistent acts.

Mr. IRVIS from the Committee on Judiciary, reported as amended, House Bill No. 2181, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), penalizing acts of malicious mischief to real or personal property.

Mr. STIMMEL from the Committee on Fisheries, reported as amended, House Bill No. 2341, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House Bill No. 926, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestly.

Mr. HAMILTON from the Committee on Appropriations, re-reported as committed, House Bill No. 899, entitled:

An Act requiring the Department of Highways and the Department of Forests and Waters to make a survey in cooperation with the United States Army Engineers concerning a roadway between Presque Isle State Park and the City of Erie.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House Bill No. 1075, entitled:

An Act relating to sewage and water facilities in realty subdivisions imposing duties on recorders of deeds granting power to and imposing duties upon the Department of Health and its designated representatives and prescribing penalties.

Mr. SCHWARTZ from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 1152, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), changing provisions relating to cancellation of registration.

Mr. HAMILTON from the Committee on Appropriations, re-reported as committed, House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursements made by the Commonwealth to union and merged districts and jointures

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House Bill No. 1178, entitled:

An Act promoting safety by regulating vessels water

skiing aquaplaning and similar activities upon the waters of this Commonwealth conferring powers and imposing duties on the Department of Revenue the Pennsylvania Fish Commission and the Pennsylvania Navigation Commission prescribing penalties making an appropriation from the General Fund to the Watercraft Safety Division Account of the Fish Fund and providing for the reimbursement of the General Fund.

Mr. HAMILTON from the Committee on Appropriations, re-reported as committed, House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers \* \* \* and providing an appropriation therefor.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, House Bill No. 2240, entitled:

An Act amending the "Commerce Law" approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

Mr. HAMILTON from the Committee on Appropriations, reported as committed, House Bill No. 2327, entitled:

An Act amending the act of May 21, 1943 (P. L. 328), entitled "An act authorizing the Secretary of Highways, \* \* \* to lay out, \* \* \* and maintain flight strips and roads to the sites of war activities, \* \* \* and making an appropriation, "further regulating payment of property damages by the Department of Highways.

Mr. HAMILTON from the Committee on Appropriations, reported as committed, House Bill No. 2347, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Bureau of Consumer Protection; defining its power and duties, and making an appropriation.

Mr. BARTON from the Committee on Counties, reported as committed, House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents, in death and compensation cases; and prescribing penalties," further extending its provisions.

Mr. HAMILTON from the Committee on Appropriations, re-reported as amended, Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members and Presidents of State Teachers Colleges.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1152, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), changing provisions relating to cancellation of registration.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2327, entitled:

An Act amending the act of May 21, 1943 (P. L. 328), entitled "An act authorizing the Secretary of Highways, \* \* \* to lay out, \* \* \* and maintain flight strips and roads to the sites of war activities, \* \* \* and making an appropriation, "further regulating payment of property damages by the Department of Highways.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2347, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Bureau of Consumer Protection; defining its powers and duties, and making an appropriation.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322), entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates, and divorce decrees, by county officers, free of charge, to disabled war veterans and their dependents in death and compensation cases; and prescribing penalties," further extending its provisions.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 403, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system etc. . . ." providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1340, entitled:

An Act amending the act of April 22, 1889 (P. L. 41) entitled "An act relative to entry of judgement authorizing the courts to permit the same to be made by the prothonotary on praecipe" requiring notice by registered mail to persons against whom judgment is sought for want of an appearance.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.



Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 1854, entitled:

An Act amending the "Intangible Personal Property assessment of decedent's for five years prior to the date in which death occurs.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2044, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) redefining documents and transactions providing for determination of deficiencies redetermination reviews and appeals therefrom imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2096, entitled:

An Act relating to water well drillers \* \* \* providing for the revocation of suspension of licenses and prescribing unlawful acts and penalties.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of House Bill No. 2302, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) further regulating cash sales of milk on farms.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

Agreeably to order,  
The House proceeded to the first reading and consideration of Senate Bill No. 639, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086) entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual help-

fulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons" whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

And said bill having been read at length the first time.  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 488, entitled:

An Act amending "The Game Law" approved June 3 1937 (P L 1225) providing for payment for bear damage to field produce by the Department of Agriculture and making an appropriation.

The first section was read.  
On the question,  
Will the House agree to the section?

## BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.  
The motion was agreed to.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 765, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.  
The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, please come to the desk and preside temporarily?

## Mr. LOPRESTI IN THE CHAIR

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1294, entitled:

An Act providing that employees of the Commonwealth of Pennsylvania or any political subdivision thereof in the absence of statutory law to the contrary shall not be forbidden by any superior officer to exercise the privilege of participating or engaging in political activities.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1505, entitled:

An Act amending the act of April 6 1951 (P L 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed \* \* \*" defining standards for issuance of an injunction for enjoining the operation of establishments not licensed theretofore.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1879, entitled:

An Act amending the "Liquor Code" act of April 12, 1951 (P L 90) authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2158, entitled:

An act amending "The Administrative Code of 1929" approved April 9 1929 (P L 177) by including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2159, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact for oil and gas conservation and for related purposes.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2175, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) validating certain unions of school districts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2207, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2314, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitations with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled as amended "An Act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Interstate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 149, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to selection of city charter commissioners.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing additional procedure for creating cities authorizing elections and



permitting selection of a form of city government in such cases from among several optional plans and conferring powers and imposing duties on courts of quarter sessions county board of elections and corporate authorities of towns townships and boroughs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 732, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any defects unless proceedings to attach such sales are brought within a prescribed period.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 734, entitled:

An Act providing for combining trusts for the benefit of employees of the same employer upon approval by the court having jurisdiction of any one such trusts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . ." further providing for the taking of exceptions to rulings of the trial judge.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 852, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

## SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1207

An Act Amending the act of March 10 1949 (P L 30) entitled "An Act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of pupil transportation to certain additional school districts.

With the information that the Senate had passed the with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 7, by striking out after the part word "tricts" the letter "(a)"; line 18, by striking out after the part word "portation" the following:

(b) whose electorate have not rejected the formation of a union or merged school district (c) which are unable to form a union or merged school district because of the opposition of the board of school directors or electorate of the other districts in the approved administrative unit.

Page 4, line 16, by striking out after the word "districts" the letter "(a)"; line 17, by striking out after the word "transportation" the following:

(b) whose electorate have not rejected the formation of a union or merged school district (c) which are unable to form a union or merged school district because of the opposition of the board of school directors or electorate of the other districts in the approved administrative unit.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON FINAL PASSAGE

### BILLS PASSED OVER

There being no objection

House Bill No. 1652, Printer's No. 1287;

House Bill No. 1726, Printer's No. 1306;

House Bill No. 2260, Printer's No. 1579 and

House Bill No. 2261, Printer's No. 158

were passed over at the request of the Speaker pro tempore.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 2291 entitled:

An Act amending "The Penal Code" approved June 24 1939 (P L 872) prohibiting the sale of starter pistols to minors.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcell,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irviss,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobai,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varner,
Dennis,	Jones, F. R.,	O'Donnell, J. P.,	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neil,	Weidner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Lulgard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

NAYS—0

NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the consideration on final passage of Senate Bill No. 699, entitled:

An Act amending the act of June 4 1943 (P L 886) entitled as amended "Municipal Employees' Retirement Law"

defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcell,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irviss,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobai,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varner,
Dennis,	Jones, F. R.,	O'Donnell, J. P.,	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neil,	Weidner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Lulgard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

NAYS—0

NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" ap-



proved June 25 1940 (P L 1145) providing for levying assessment and collection of taxes by certain independent school districts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcell,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seitzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irviss,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varnier,
Dennis,	Jones, F. R.,	O'Donnell, J. P.,	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neil,	Weidner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willardt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Lulgard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2261, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for the levying and collection of taxes by certain independent school districts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcell,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seitzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.,	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irviss,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varnier,
Dennis,	Jones, F. R.,	O'Donnell, J. P.,	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neil,	Weidner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willardt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Lulgard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE POSTPONED

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1365, Printer's No. 514, on page 10 of today's calendar, bills on final passage postponed.

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1376, Printer's No. 632, on page 10 of today's calendar, bills on final passage postponed.

# APPROPRIATION BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection

House Bill No. 2230, Printers No. 1469

was passed over at the request of the Speaker por tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcelli,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Muldowney,	Stevens,
Buchanan,	Helm,	Monroe,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irvis,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varner,
Dennis,	Jones, F. R.,	O'Donnell, J. P.	Verona,
Dennison,	Jones, T. H. W.,	Odoriso,	Wall,
Devlin,	Kamyk,	Oglvie,	Wargo,
Donahue,	Kee,	O'Neill,	Weldner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

# APPROPRIATION BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcelli,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Guthrie,	Meholchick,	Silverman,
Bowman,	Mihm,	Miller, B. Z.,	Snider,
Branca,	Hamilton,	Miller, H. G.,	Stank,
Brenninger,	Heavey,	Muldowney,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irvis,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varner,
Dennis,	Jones, F. R.,	O'Donnell, J. P.	Verona,
Dennison,	Jones, T. H. W.,	Odoriso,	Wall,
Devlin,	Kamyk,	Oglvie,	Wargo,
Donahue,	Kee,	O'Neill,	Weldner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Ranwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.



## BILLS ON THIRD READING

## BILLS PASSED OVER

There being no objection,  
House Bill No. 325, Printer's No. 999 and  
House Bill No. 459, Printer's No. 1498,  
were passed over at the request of the SPEAKER pro  
tempore.

Agreeably to order,  
The House proceeded to the third reading and con-  
sideration of House Bill No. 480, entitled:

An Act amending the act of April 29, 1959 (P. L. 58)  
entitled "An act consolidating and revising the Vehicle  
Code the Tractor Code the Motor Vehicle Financial Re-  
sponsibility Act and other acts relating to the ownership  
possession and use of vehicles and tractors" requiring the  
erection of certain warning signs on State highways.

And said bill having been read at length the third  
time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the  
yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcelli,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irviss,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varnier,
Dennis,	Jones, F. R.,	O'Donnell, J. P.	Verona,
Dennison,	Jones, T. H. W.,	Odoriso,	Wallo,
Devlin,	Kamyk,	Oglivie,	Wargo,
Donahue,	Kee,	O'Neil,	Weldner,
Donaldson,	Kelser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polea,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted  
in the affirmative, the question was determined in the  
affirmative.

Ordered, That the Clerk present the same to the Senate  
for concurrence.

## BILLS PASSED OVER

There being no objection,  
House Bill No. 568, Printer's No. 1528;  
House Bill No. 814, Printer's No. 1512;  
House Bill No. 1205, Printer's No. 1317 and  
House Bill No. 1335, Printer's No. 1260,  
were passed over at the reequst of the SPEAKER pro  
tempore.

Agreeably to order,  
The House proceeded to the third reading and con-  
sideration of House Bill No. 1508, entitled

An Act transfeerring the moneys of the State School  
Fund to the General Fund providing for the use of such  
moneys for assisting public school districts to comply with  
required safety standards in certain cases conferring  
powers and imposing duties upon the State Council  
of Education the Superintendent of Public Instruction  
and the Secretary of Labor and Industry providing for  
future escheated estates making certain appropriations  
and repealing certain sections of the Public School Code  
of 1949.

On the question,  
Will the House agree to the bill on third reading?

It was agreed to.

On the question,  
Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, this is a very odd bill in a  
lot of ways. A lot of us, of course, have had the so-  
called panic repairs to their home-town school districts.  
I guess I can hardly do anything but go along with the  
bill. However, it does contain two items, an appropriation  
of \$200,000, I believe, for the State Council of Education  
to use practically as they see fit, to keep alive educational  
opportunities all over the State. Nobody knows how they  
are going to use it or for what purposes or just why  
it has to be.

Then there is another \$100,000 in there. Here is another  
very peculiar quirk for this so-called higher council of  
education. Why that is needed at this time because I do  
not know, because at the present time, again, as I pointed  
out on the floor of the House yesterday in reference to  
another bill, an appropriation bill, so far there is no  
higher council of education in the state. It just is not  
in being as yet and yet here is a \$100,000 going to it to use  
as they see fit.

I wonder when we are going to stop sending blank  
checks to these administrative departments down here to  
use as they see fit, with nothing specific spelled out in  
the bill as to how this money can be used. You passed a  
bill yesterday that was for \$300,000. Here is \$300,000  
in blank checks; \$400,000 to this higher council of edu-  
cation. What they are going to do with it or for what pur-  
pose, nobody has been able to adequately explain to me.  
It is just bad, that is all. But here again, what are we going  
to do? They just call for these appropriations which are  
good for these panic repairs. It has caused many school  
districts hundreds of thousands of dollars. It has caused  
my own home school district possibly around \$500,000



to make these repairs. That is a lot of money when you have not budgeted it for the present year. It has to come out of the taxpayer's pockets of course. And here is this other money that was appropriated, we being mouse-trapped into it when it hit the floor last week on these row office bills. We are suckers probably but we are bound and we have to go for it, but I do not like it.

Mr. POLEN. Mr. Speaker, what the gentleman says is correct about appropriating \$200,000 to the State Council of Education to equalize educational opportunities, but I would like to call attention to the House to the fact that at the present time the entire State School Fund which comes from the escheat fund is now used for that purpose, and this bill abolishes the state School Fund and transfers the money to the General Fund. It does make an appropriation of \$200,000 to the State Council, which is the amount that is necessary for them to carry out the commitments they have already made. It makes an appropriation of \$100,000 to the Council of Higher Education, it is true, for which the enabling act has not as yet been passed. However, the remainder of this fund will be transferred to the General Fund and the State School Fund which, in the past, the Department of Public Instruction, through the State Council, has had the entire responsibility for and could and did use it as they pleased. The balance of the money is to go to the school districts of Pennsylvania that have been affected by the orders of the Department of Labor and Industry. To those districts which are totally distressed the amount will be paid in full, and the other districts will be reimbursed as the formula shows in the bill on a one sum basis. I want to say to the House that no additional money will be required to do this from tax funds because presently the \$4 million in the State School Fund, which is transferred to General Fund, will take care of all the expense and reimbursement of doing this.

Mr. AUKER. Mr. Speaker, I grant all that the gentleman from Washington, Mr. Polen, has said is true. It is not any new tax money, that is true, but nobody still has been able to explain to me why we have to appropriate this extra \$300,000 to these two councils of education. Especially when one of them is not even in being.

There are other bad aspects of the bill that I think make it bad legislation. You have got three different departments that are going to approve these funds; you have the Department of Labor and Industry, the Department of Public Instruction and the State Council of Education. One approves if the other approves, and then if the State Council of Education is not in being, it provides in this bill in one place why the Superintendent of Public Instruction can make the approval, and then it is bound to be confirmed by the State Council of Education. Well, here we go again.

Then in another place here, if a school district is completely financially distressed, 100 percent of the entire repairs can be paid, and that is decided by the Superintendent of Public Instruction. If you cannot make a political football out of that I will eat anybody's hat. And, that is not good legislation.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Blair, Mr. Auker?

The SPEAKER pro tempore. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKER. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, I would like to ask the gentleman, without having all my notes, the school district of the city of Altoona is in his area?

Mr. AUKER; That is right.

Mr. McCANN. From memory, Mr. Speaker, I believe that the city of Altoona School District had 17 wooden, frame school buildings which Labor and Industry fire and panic orders affected. Would that be about right?

Mr. AUKER. That could possibly be right. Somewhere in that neighborhood. I do not know the exact number, but it is pretty close to it anyway.

Mr. McCANN. As a general rule, the gentleman from his own legislative district knows his own area, and I am just trying to go by memory because the city of Altoona was one of the greatest examples. If the School District of the city of Altoona had 17 buildings, or whatever number, that the Labor and Industry issued corrective orders on, they dealt with changes to be made to the buildings, this bill here would do what for that school district?

Mr. AUKER. Well, there is no question about it, Mr. Speaker, it would help very materially in reimbursing that school district in making those repairs ordered by the Department of Labor and Industry.

Mr. McCANN. Well, now, let us see how this bill works then. If Labor and Industry issued the 17 orders, or whatever number it may be, it is immaterial. This bill takes \$4 million from the escheats fund and transfers it in the following manner. To every school district in which Labor and Industry orders were issued the formula is there to reimburse that district to help correct those orders. Now, Labor and Industry issues the orders, is that correct?

Mr. AUKER. That is right.

Mr. McCANN. The Department of Public Instruction approves the money that Labor and Industry ordered on your school district out of this bill, is that correct?

Mr. AUKER. Under this bill, yes, that is the setup.

Mr. McCANN. That is correct?

Mr. AUKER. That is right.

Mr. McCANN. Now then, assuming that the city of Altoona school district was absolutely financially distressed to the point of not being able to provide absolutely one penny under any conditions to help correct this, what would the appropriation be in there for as it pertains to those school districts?

Mr. AUKER. Under the provisions of this bill, as I understand it, the Superintendent of Public Instruction can say that they will all be paid or any part of it, and that I say is not good.

Mr. McCANN. Mr. Speaker, then the gentleman would say that if, in the case of the city of Altoona school district, in your legislative district thank God they are not financially handicapped at this point, but say they were—then do you believe that we in the Commonwealth should not assist you in the corrective orders helping to insure the safety of those children?

Mr. AUKER. I did not say that.

Mr. McCANN. Well, now, please tell us what you said.

Mr. AUKER. I said that I do not think it should be at the sole discretion of one administrative head. I do not think that is good in any case. I think there ought to be checks and balances on this so that there is not going to be any political favoritism played at all.

Mr. McCANN. That is fine. Now, Mr. Speaker,—



Mr. AUKER. Regardless of party too, I might say, let me add that.

Mr. McCANN. Fine. Now, Mr. Speaker, will the gentleman tell us in whose department the powers are now vested without this bill?

Mr. AUKER. Well now, you mean for repairs? There has never been any such thing before.

Mr. McCANN. Let us say, for example, for 25 years or 30 years you have appropriated money to aid the financially handicapped school districts at one time from \$2 million down to \$400,000 or \$500,000, in whose hands could you vest that authority in all those years?

Mr. AUKER. Well, I imagine the Public Instruction Department.

Mr. McCANN. That is correct, is it not? Then, Mr. Speaker, will the gentleman tell us if he did that and they did a job rightfully that you believe it should or should not be vested in the same man's hands?

Mr. AUKER. Well, I question that on this kind of a setup because here you have repairs being ordered by one department, and then you have the OK on it by another department. That is not true of the general education appropriation at all. You have certain set formulas there by law. But here you have one department ordering the repairs and two other different setups to OK it. That, I do not think is good.

Mr. McCANN. Mr. Speaker, will the gentleman then explain to us, the Department of Labor and Industry by law has the obligation to inspect the buildings and check them regarding the fire and panic situation, under the law, and they are required to do this. We have given that right in the past to this Department, and in the past we have given the right to the Department of Public Instruction to allocate money. In this bill are we not doing exactly as we have done for years in carrying out this formula and trying to help all the school districts in this situation?

Mr. AUKER. As I understand it, we have not done it in the past because panic repairs have never come up in the past.

Mr. McCANN. No, in the allocation of money to financially handicapped school districts, will the gentleman tell us how we now allocate that money when we appropriate it here in the General Assembly?

Mr. AUKER. Through the Department of Public Instruction, as I understand it, yes.

Mr. McCANN. We vest the power then, Mr. Speaker, entirely in the hands of the Superintendent of the Department of Public Instruction and have done so for many years.

Mr. AUKER. Under recognized formula.

Mr. McCANN. Under a recognized formula, and what is that formula?

Mr. AUKER. Oh, well now, Mr. Speaker, there I will have to plead some ignorance because I am not well enough up on this school quota and the reimbursement quotas and all that sort of thing to properly answer the question.

Mr. McCANN. Mr. Speaker, would the gentleman agree that there is no written formula in the law as to the appropriating of these funds by the Superintendent of Public Instruction and there are the regulations and compliances that are issued to the school district before they appropriate the money which are the only rules?

Mr. AUKER. That possibly might be true. Let me explain, Mr. McCann, What I am trying to get at.

Here is the department that orders the repairs. Now, in my mind—maybe I am wrong—the department that orders them and has to approve them should also have the distribution of the money or be in on it at least. They know more about it than the Department of Public Instruction does. That is the point I am raising.

Mr. McCANN. Mr. Speaker, is the gentleman saying to the House that we should allocate then approximately \$3 million to the Department of Labor and Industry that issues the orders on our school buildings so that they would then allocate the money for the repairs?

Mr. AUKER. To my mind, I think that would be the better business procedure. That is just my personal opinion.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

Mr. Speaker, House Bill 1508 is a piece of very sound legislation in what it is trying to do. I will not say that it may not need corrective amendments. But let us see what we are trying to do.

We first have the escheats fund in a department in which there is approximately \$4 million. It is there now for their use and discretion. They can do any darned thing they want to with that money at any time. You have no control over it and never have had any control by law.

Now what are we doing? We are saying this money is coming back into the General Fund to be used for our school system. And how is it to be used? We are going to allocate to those who have \$4 million to work with, \$200,000 because you have commitments to do certain things by which these commitments should be paid. You are taking this fund and putting it under the control of a General Assembly in which you allocate this money. If you have \$4 million dollars, why are you allocating it? The Department of Labor and Industry inspected the school buildings of the Commonwealth of Pennsylvania and in your own legislative district they found corrective measures that need to be made to the school buildings. We believe those orders should be carried out and try to make the buildings as safe as humanly possible to insure the lives of our children in the school rooms.

Now then, when the Department of Labor and Industry said you have to try to do this to this building, they now say to you, we want you to do it, we want to help to pay for it. How are we helping to pay for it? By allocating a formula on this money the same as I mentioned to the gentleman from Blair, Mr. Auker, I remember distinctly the city of Altoona had 17 school districts with an estimated cost for repairs to meet the order approximately \$500,000 to \$600,000. They would receive a proportionate share of this money to make those corrective orders to those buildings.

The School Boards of Pennsylvania need this help. They want to make their buildings corrective to the proper fire regulations. They do have the money. So you come to a school district that absolutely is broke. Now then, we took one step further. To those that have absolutely no money and are not able to pay any part of this, financially distressed—financial distress is determined by the Superintendent of Public Instruction—in whom you have vested that power for many years. If that was the office and department that you left your authority in and found it to be operating satisfactorily, why not ac-



cept the same formulae as that in the department or head who should have this authority?

We granted in this bill a specific amount of money to that department head to allocate to your school district if it cannot pay one single cent of this. But we placed a ceiling again on the amount that can go into this field. This is a piece of legislation that covers every public school in the Commonwealth of Pennsylvania affected by the Labor and Industry orders which you know yourself affect schools in areas having had the orders served on them, and the school directors of your area have talked to you about the money to help pay for this.

I would like to say that this is very good, sound legislation to do these things and to assist our school boards to accomplish the goal that we are seeking and for which they also are attempting to find the money to meet that same goal.

I believe we have vested the powers in the proper people, the people that you have vested it in for years, and I think this in itself will be a benefit to all those school districts. I honestly urge the unanimous passage of House Bill 1508, Printer's No. 1530.

Mr. T. H. W. JONES. Mr. Speaker, I would like to say a few words against the bill, and in support of my friend from Blair, Mr. Auker.

Reading this bill hastily as the two gentlemen have been debating, Section A appropriates \$200,000 out of the fund to the State Council of Education, not the Department, to spend during the two-fifths of the year as it deems wise toward equalizing educational advantages in the Commonwealth. As I read that phrase, the State Council of Education is not limited in any way to spending \$200,000 in correcting building faults that have been detected by the Department of Labor and Industry. It can spend it any way it wants to. It can give, let us say, to Allegheny County, or to Montgomery County, just any way that it deems wise.

The second feature of the bill which Mr. Auker opposed gives \$100,000 to an organization for which we have no enabling legislation as yet. It gives \$100,000 to the State Council of Higher Education, an item which may or may not pass or be approved by this General Assembly.

As far as the rest of the bill goes, I think the appropriations for fixing up buildings have been inserted in the bill and all this money goes again to the State Council of Education. Personally, I disapprove of that. I think the State Council of Education has enough to do in determining curriculum problems, in determining standards for education throughout the Commonwealth, without worrying that particular council about buildings that have been found faulty by the Department of Labor and Industry. It divides, the third section, the responsibility between the State Council of Education and the Department of Public Instruction to control the whole setup. I think that is bad.

I think the purpose of the bill is probably good, but I intend to vote against it because I think it is very poorly drawn, and I know of no prior instance in our law where we simply gave \$200,000 to some state agency with the instruction to spend it as they deem wise.

Mr. POLEN. Mr. Speaker, in reply to the gentleman, Mr. Jones, I would like to say that at the present time there is over \$4 million in the State School Fund which the State Council of Education can spend and has been

spending in any manner that they may see fit to equalize educational opportunities. Actually, they could at the present time do any of the things that we are directing them to do now with this money.

I want to call your attention to one particular thing. The effect of this legislation would be to eliminate the State School Fund of Pennsylvania, transferring its funds and transferring control of such funds from the State Council of Education to the General Assembly. In the future there will be no state school fund which the State Council of Education will have because the funds will, in the future, go into the General Fund. The \$200,000 that we are asking for in this appropriation is to take care of commitments that the State Council has already made under the law as they have been operating. This simply takes the control away from the State Council and gives it back to the General Assembly, and this bill spells out what is to be done with the money that is transferred. Instead of having over \$4 million as they now have, they will be limited to \$200,000 to take care of their present commitments, and that will end the State School Fund and the operation as it has been in the past.

Mr. T. H. W. JONES. Mr. Speaker, I appreciate the explanation of the gentleman from Washington. I approve of the abolishment of the fund about which we were talking.

I remember hearing that at one of the Appropriations hearings this matter was discussed, that many of the members of the Appropriations Committee had not realized that this state fund existed in just this way, that the State Council of Education had so much power over it. I believe that the thought was current among, at least, some of the Members of the General Assembly that the State School Fund ought to be abolished and the funds put in the General Fund, and I am glad that is intended and is being done.

Nevertheless, I do not think that this bill ought to just give a blank check to the State Council of Education to spend \$200,000 any way it wants to. I think if you are going to abolish the evil, you ought to abolish it all the way and not abolish it minus \$200,000.

I would suggest that if this bill were to be put into proper shape, it could be done by having the State Council of Education tell us how they have managed to commit \$200,000.

Mr. McCANN. I think the gentleman from Montgomery, Mr. Jones, will certainly agree that when the Council of Education has already made commitments, they have the right to make them, they have \$4 million to operate with freely, that if we took every cent of that money away, these commitments would be moral obligations which by legislation I would be on this floor asking you to vote to pay for. We have to pay them. We have to pay our obligations that are properly brought before us, and the State Council of Education has done this properly. They have every right; they have the right today to do this.

Therefore, we are trying to pay the bills for which they are obligated, eliminate the fund. I do not believe anyone is proposing that this fund should be in the control of the General Assembly, that the money should be in the General Assembly, that the money should be in the General Fund, and this is what we are doing with that money, and that is why the appropriation is there for the \$200,000.



## QUESTION OF PERSONAL PRIVILEGE

Mr. AUKER. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Mr. Speaker, I take this means, because I have already spoken twice on the bill, and to speak three times is against the rules. I am not going to speak on the bill. I merely want to clarify my position on it.

I am in favor fundamentally and basically and personally of this legislation and I urge every member to vote for it. I think the Majority Leader and his aides have done a very good job in providing this money in this way. I commend him for it. I am only objecting to these couple provisions in the bill protecting these extra appropriations.

I merely want to clarify my position in this way, that I am for the bill and I hope it passes. I urge every Member to vote for it in spite of these provisions in it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcell,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Iris,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Truslo,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varnier,
Dennis,	Jones, F. R.,	O'Donnell, J. P.	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neil,	Weldner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton,	Knecht,	Mills,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1614, Printer's No. 1542

Was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing that evidence of mental condition may be submitted by disposition or affidavit of a physician of any city-owned hospital or institution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Frascella,	McCann,	Royer,
Anderson,	Fulmer,	McDonald,	Rudisill,
Arlene,	Galley,	McInroy,	Sakulsky,
Auker,	Gallagher,	McKeever,	Scarcell,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Magee,	Schwartz,
Boles,	Gibb,	Mahan,	Seltzer,
Bonner,	Goldstein,	Markley,	Sherman,
Boris,	Goodrich,	Maxwell,	Shupnik,
Bower,	Gramlich,	Meholchick,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Iris,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Truslo,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varnier,
Dennis,	Jones, F. R.,	O'Donnell, J. P.	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neil,	Weldner,
Donaldson,	Keiser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Edwards,	Kooker,	Perry, P. E.,	Whittaker,
Ellberg,	Korns,	Petrosky,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Kubitsky,	Polen,	Willard,
Ewing,	Lamb,	Prendergast,	Willaredt,
Farabaugh,	Lee, A. M.,	Price,	Wilt,
Fetterolf,	Lee, K. B.,	Pursley,	Wood,
Filo,	Leonard,	Reibman,	Worley,
Fineman,	Limper,	Reidenbach,	Wynd,
Floyd,	Lippincott,	Renwick,	Yatron,
Flynn,	Lopresti,	Rigby,	Yetter,
Foerster,	Luigard,	Riley,	Zimmerman,
Fox,	Lutty,	Rovansek,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—18

Ashton, Blair, Brown, Cooper, Jump,	Knecht, Kornick, Light, McCormack, Merry,	Mills, Moran, Murray, P. G., O'Dell,	Snare, Sullivan, Thompson, Walsh,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1853, Printer's No. 1115

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CROSSIN. Mr. Speaker, there has been considerable misunderstanding concerning the Hamburg State Hospital.

In order that the public and especially the people of Luzerne County are not confused about the facts, I want to make a few public statements.

As the matter now stands, the Hamburg State Hospital treats only approximately 158 patients. House Bill No. 1861, now before the state Legislature, provides that instead of being solely a TB institution, the Hamburg State Hospital will, in the future, use its full facilities for treating approximately 1,000 retarded children.

Mr. Speaker, the treatment of retarded children is recognized as one of the most important and pressing public problems we have today. More than 3,500 of these afflicted children are now on the waiting list, crying for the kind of attention, care and medical treatment that the Hamburg State Hospital will provide. The present TB patients who are affected by this change will be immediately and effectively cared for at other state institutions and will suffer only the inconvenience of being transferred.

We believe that the need for care and treatment for so many retarded children makes these changes imperative, and, furthermore we also believe that the Public will agree with us.

Therefore, as Members of the House representing Luzerne County, we are going to give our support to House Bill No. 1861, which will go far toward alleviating the entire problem of retarded and afflicted children of Pennsylvania. I speak on behalf of Representatives Crossin, Mehlichick, Curwood and Shupnik.

Mr. HEFFNER. Mr. Speaker, I, like the Luzerne County delegation, originally intended to vote against this bill and to debate this bill on the floor of this House.

There are many reasons why you can be against this bill. For example, the present patients there do not desire to be transferred away from their loved ones and their families. Their families will suffer in some cases inconvenience and perhaps hardships in making visits several hundred miles away from the homes of their loved ones who have been unfortunate enough to be afflicted with the disease of tuberculosis.

However, the inescapable facts and conclusions are that any citizen in our Commonwealth who has been unfortunate enough to contract tuberculosis has an opportunity for hospitalization in several of our TB institutions. I am certain those patients who are going to be inconvenienced and those families who are going to be inconvenienced in traveling greater distances to see their loved ones will realize and will share with us the facts that these mentally retarded children must be cared for. They will understand that in their inconvenience the mentally retarded children of Pennsylvania will be given an opportunity for hospitalization.

I have made a thorough study in my county alone and I find that there are approximately 50 retarded children who, although seeking admittance to these institutions, have thus far been denied admittance because of insufficient facilities. I am hopeful that Hamburg will supply the need of these families and these unfortunates.

Therefore, I also ask that we support this bill so that we can provide for the citizens of all Pennsylvania in their various diseases.

Mr. WELSH. Mr. Speaker, I would like to insert a statement into the record in regard to 1861.

The SPEAKER pro tempore. The Chair hears no objection.

Mr. WELSH submitted the following statement for the record.

## UNITED MINE WORKERS OF AMERICA

Washington, D.C.

August 13, 1959.

Dr. C. L. Wilbar, Jr., Secretary  
Department of Health  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania  
Dear Doctor Wilbar:

I just returned to my office a few days ago after an absence while attending world labor conferences of International Confederation of Free Trade Unions in Berlin, Germany. One of the principal matters brought to my attention is the fact that under date of May 22, 1959, a letter was forwarded over your signature to all patients at the Charles H. Miner State Hospital, Hamburg, Pennsylvania. Through cooperation of one of my closest friends who happens to be a patient at this hospital, I have had an opportunity to make a careful analysis of the contents of this letter.

To emphasize to you that I am deeply shocked by the proposition of the Department of Health to transfer all patients from the Hamburg hospital to institutions at South Mountain and Cresson, Pennsylvania, in order that the Hamburg hospital can be made available to the Department of Public Welfare for treatment of mentally retarded children, would be putting it rather mildly. Adding more to my remorse are the facts: that I have been informed each patient has been personally contacted and asked if he or she would transfer from Hamburg; that as a result of the pressure which was used, some patients consented to transfer; and that a large number of



the Hamburg patients decided to go home rather than transfer to other institutions.

In my judgment, such action by the Department of Health is unfounded, unwise and uncalled for. As a result of the discontentment which has been caused among the patients at Hamburg, it is my opinion that whatever headway they might have been making insofar as their health is concerned, the mental anxiety brought about by this proposition will cause a terrific setback among each and everyone of them. Furthermore, the fact that a large number of sick patients are now at home and some of them even walking the streets exposing countless numbers of individuals to tuberculosis germs is causing a health menace.

From an individual standpoint and as the principal spokesman of the United Mine Workers of America from the Anthracite coal region, I cannot fathom the reasoning behind this proposed action by the Department of Health. I also know that I bespeak the sentiments of practically every individual, not only from the Anthracite region, but from all sections of Northeastern Pennsylvania, who must depend on the Hamburg Hospital for tuberculosis treatment. It is certainly my fond hope that no one is so erratic that he would put the "almighty buck" on a top priority above the human equations which are involved in this situation. I am, therefore, lodging this complaint in vigorous opposition against the contemplated conversion at Hamburg.

Presently, there are about 119 patients from the Anthracite region at Hamburg and it is a foregone conclusion that, if some of these individuals would go to either South Mountain or Cresson, the mileage span from their homes would be approximately 205 miles and 290 miles, respectively. Inasmuch as men who are employed in the Anthracite mines are exposed to everyday hazards, as well as many other health menaces, there is always the possibility that affliction with anthracosilicosis might lead to tuberculosis, such as happened in many cases. This factor, of course, increases the potential for other patients from the Anthracite region to be hospitalized at Hamburg. I am sure if you will reconsider your proposal, you cannot help but agree that such transfers would cause undue hardships to all families concerned. It is only natural that whether it is the patients in the hospital or their loved ones at home the desire of all concerned is to be always as close to one another as possible, in order that families may have an opportunity to take advantage of hospital visiting.

All the above reasoning is based on practical experience. I have not only been associated with a variety of on-the-spot problems within the ranks of the United Mine Workers of America, but also have had an opportunity to make a diagnosis of hospitalization requirements as a former member of the Board of Trustees at the White Haven Sanitarium for tuberculosis; and also as Chairman of the Board of Trustees of the Anthracite Health and Welfare Fund since the inception of that program in 1946. Furthermore, as Lieutenant Governor of the Commonwealth of Pennsylvania from 1935 until 1938 inclusive, I was able to avail myself with a general knowledge of the inner workings of all State departments and the services which must be rendered by each department for the well-being of the population in general.

I, therefore, sincerely trust that necessary steps will be taken immediately to devise some other plan whereby the patients at Hamburg can be retained at that institution, and that other provisions will be established to take care of the mentally retarded children.

Sincerely yours,  
/s/ Thomas Kennedy  
Vice President

cc: Honorable David L. Lawrence, Governor; Mrs. Ruth Grigg Horting, Secretary of Public Welfare, Commonwealth of Pennsylvania; Mr. Harry Boyer, President, CIO Council; Mr. Joseph McDonough, President, Pennsylvania Federation of Labor; Mr. August J. Lippi, Mr. Martin F. Brennan and Mr. Joseph T. Kershetsky, Presidents, Districts No. 1, 7 and 9 respectively, United Mine Workers of America; Mr. Roy Dugan, Regional Director, District No. 50, UMWA.

Mr. McCANN. Mr. Speaker, House Bill No. 1861, makes another change in the Commonwealth's operations of both our TB hospitals and our Department of Public Welfare mentally retarded children's program.

I am certainly most appreciative of all the Members who have checked so carefully into this legislation as to what we are trying to do and why we want to do it.

For the purposes of the record and to the many members to whom I have said in conferences for two weeks that there are now five TB hospitals in the Commonwealth, with the passage of this legislation there will be four. But, this is a matter of record for public statement, that for any TB patient in any county in this Commonwealth we have the bed space for that TB patient today, tomorrow or next week. That out of the 158 patients that were in Hamburg State Hospital, the first of August, each of them has received a letter notifying them that they are transferred for this hospital will no longer be a TB hospital. For each of those people I realize the problems that are involved with their families and with the hospital space, whether it be at Cresson, Pennsylvania, or in Franklin County at Mont Alto, it may be somewhat farther in distance to travel, but the hospital space is there and there are 3,500 boys and girls who can travel no place, to no hospital in this Commonwealth, for there is no space. Only as one dies is there space for one more child.

We are now taking another hospital from the TB program and it is the hope of these men who deal with this disease that, having almost licked it, it will not be too many years until another hospital in this class of TB hospitals will be taken from that of the four that will be left following the passage of this legislation, as we continue to reduce the caseload in the TB field. With that we hope also to try to find a way to provide again additional space, for only God in His wisdom has been able ever to answer what happens to these children when they are born with these defects.

Have you ever for a moment in your own county checked carefully the waiting list from your county the applicants now waiting to apply to be received into these hospitals. A few weeks ago, we had approximately 3,500 children on this list. Do you believe that this list is getting smaller this week or next week? It is approximately 3,570 now. Do you have any way to answer that this list will be smaller a year from now? No one can answer that question, but this we know we will do. In the Hamburg State Hospital, when we change it to the Department of Public Welfare for these children, just as sure as we are living, we will put 1,000 boys and girls. We will put 540 crib cases in that hospital just as close as you can put them together. If it would hold another 50, there will be another 50 put in. The estimated amount that it would hold is 950 patients, and I assure you that we will put 1,000 in that hospital. And then when we take 1,000 and put them in this hospital will we still



have completed the job? Not by a far sight. Perhaps one third; no greater than 25 percent, for in the county that you represent or the district you represent there is no question that each county now should have the information, as you have requested it, as to how many patients are on the waiting list from your county. They cannot all be taken, some will be taken from, I am sure, all the counties and provided for in that space in this hospital.

Mr. Speaker, to the organizations that have opposed this legislation, I understand their position in opposition. I know it is difficult to say to these older men who are the TB patients, now we must move you. But this we say, we move you to provide the hospital space for you, and when we do we have then provided space for these children, a portion of this waiting list. I urge every Member to strongly support this legislation to help alleviate a portion of this situation.

Mrs. MARKLEY. Mr. Speaker, I think all of us are vitally concerned with the welfare of the tuberculosis patients and their families, but we are also interested in the total public welfare program of this Commonwealth. The tuberculosis prevention program of the past years has been so successful that the problem today is not the way it faced us for many years, namely, that of providing an adequate number of tuberculosis hospitals then; but rather, the problem of today is making the most effective use of the beds that are available.

Perhaps, it is true, and I do not doubt it, that the proposed conversion of the hospital at Hamburg would work a hardship on many patients, who would thus have to be hospitalized further away from home, but it is also true that it would provide approximately 500 badly needed beds for the mentally deficient children who need institutional care.

Unfortunately, in discussing this bill, we have had a problem to the TB patients and the mentally deficient. I think all of us are concerned about our entire program, and if the Speaker will permit me, I would like to coin a phrase from one of his recent issues of Dispelling the Fog, and I quote, "Government is supposed to accord special attention to the so-called little people, to help those who are caught in the fell grip of circumstances and who, while needing help, cannot help themselves. The big people make themselves heard. They are vocal and their demands vocal with their protests, and the little people, as a rule, are voiceless.

I appeal to everyone to help the little people and the TB patients.

Mr. BONNER. Mr. Speaker, I too originally opposed this bill but after reviewing all aspects with cooperation from the Majority Leader, Mr. McCann, I came to the conclusion that this move will do the greatest good for the greatest number. So I am asking all whom I previously asked to support me to support the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Agnew,	Galley,	McKeever,	Sakulsky,
Anderson,	Gallagher,	McLaughlin,	Scarcelll,
Arlene,	Garlock,	Machmer,	Schaaf,
Auker,	Gelfand,	Magee,	Schueter,

Barton,	George,	Mahan,	Schwartz,
Bell,	Gibb,	Markley,	Seltzer,
Boles,	Goldstein,	Maxwell,	Sherman,
Bonner,	Goodrich,	Meholchick,	Shupnik,
Bower,	Gramlich,	Mihm,	Silverman,
Bowman,	Guthrie,	Miller, B. Z.,	Snider,
Branca,	Hamilton,	Miller, H. G.,	Stank,
Brenninger,	Heavey,	Mills,	Steckel,
Breth,	Heffner,	Monroe,	Stevens,
Buchanan,	Helm,	Muldowney,	Stewart,
Burns,	Henzel,	Mullen,	Stimmel,
Capano,	Hocker,	Munley,	Stone,
Capitolo,	Holliday,	Murphy, A. J., Jr.	Stoner,
Cianfrani,	Holt,	Murphy, P. J.,	Strausser,
Cioffi,	Horst,	Murray, H. P.,	Stroup,
Clarke,	Irviss,	Murray, J. J.,	Taylor,
Comer,	Isaacs,	Musto,	Tompkins,
Crossin,	Jenkins,	Naugle,	Trusio,
Curwood,	Jim,	Needham,	Ujobal,
Davis,	Johnson, A. W.,	Nelson,	Varallo,
Dengler,	Johnson, R.,	O'Donnell, J. A.,	Varner,
Dennis,	Jones, F. R.,	O'Donnell, J. P.	Verona,
Dennison,	Jones, T. H. W.,	Odorisio,	Wall,
Devlin,	Kamyk,	Ogilvie,	Wargo,
Donahue,	Kee,	O'Neill,	Weidner,
Donaldson,	Kelser,	Parlante,	Welsh,
Dougherty,	Kernaghan,	Pashley,	Wescott,
Down,	Kessler,	Perry, H. H.,	Wheeler,
Ellberg,	Kooker,	Perry, P. E.,	Whittaker,
Eshback,	Korns,	Petrosky,	Williams, A. D., Jr.,
Ewing,	Kovolenko,	Polaski,	Williams, E. S.,
Eshleman,	Lamb,	Polen,	Willard,
Farabaugh,	Lee, A. M.,	Prendergast,	Willaredt,
Fetterolf,	Lee, K. B.,	Price,	Wilt,
Filo,	Leonard,	Pursley,	Wood,
Fineman,	Limper,	Reibman,	Worley,
Floyd,	Lippincott,	Reidenbach,	Wynd,
Flynn,	Lopresti,	Renwick,	Yatron,
Foerster,	Lulgard,	Rigby,	Yetter,
Fox,	Lutty,	Riley,	Zimmerman,
Frank,	McCandless,	Rovasek,	Andrews,
Frascella,	McCann,	Royer,	Speaker
Fulmer,	McInroy,	Rudisill,	

NAYS—5

Balthaser,	Edwards,	Kubitsky,	McDonald,
Boris,			

NOT VOTING—17

Ashton,	Knecht,	Merry,	Snare,
Blair,	Kornick,	Moran,	Sullivan,
Brown,	Light,	Murray, P. G.,	Thompson,
Cooper,	McCormack,	O'Dell,	Walsh,
Jump,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1906, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

Mr. GOODRICH. Mr. Speaker, I understood that this bill was passed over. If it is not, I would like to debate the bill.

Mr. McCANN. Mr. Speaker, the bill was passed over yesterday for debate today. Mr. Renwick requested debate, Mr. Breth requested debate, and I believe Mr. Tompkins.

Mr. BRETH. Since yesterday, and since the discussion was made on the bill setting up the date for today, there have been some developments which I think are salutary, and I believe the bill should be passed over. Did it pass third reading, Mr. Speaker?



The SPEAKER pro tempore. It has. It has been agreed to on third reading.

On the question,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. BRETH. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1941, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards and commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain \* \* \*

Mrs. REIBMAN. Mr. Speaker, I rise to make a brief statement with respect to House Bill 1941.

An increasing number of states have sought to focus their attention on higher education by creating an agency which would deal solely with the problems of higher education. But here in Pennsylvania, the colleges and universities have not had the opportunity of having full attention focused upon them. House Bill 1941 would mean that all of the colleges in Pennsylvania, junior colleges, community colleges, the State Teachers' Colleges, privately endowed colleges, and the large state-aided universities would have attention focused upon them in the field of higher education. The only way that this group of colleges can be assured fair representation at the state level, is to create a state council of higher education made up of people who are familiar with the particular problems of colleges and universities.

House Bill No. 1941 makes provision for this kind of state council of higher education. It would have nine members, no more than four of whom shall be employees or trustees of any institution of higher education in the Commonwealth. Such a provision would delimit the amount of members on the state council who would be so-called professional people only concerned with colleges. I might add, this four member council is a delimitation of the members of people who would be appointed to this state council with this one particular point of view in mind. These members would be appointed for revolving terms, by the Governor, with the advice and consent of two-thirds of the Senate, plus the ex-officio services of the Department of the Superintendent of Public Instruction. In fact, this setup is exactly like the present state council, except it will be a council for higher education which would handle nothing but duties relating to post-secondary education, heretofore by law vested in and imposed upon the State Council of Education.

House Bill 1941 will assure the development of a policy and proper planning in higher education for the Commonwealth. It would lead to a better coordination of our higher education program, as well as assuring further utilization of all existing facilities in the Commonwealth in this very important field.

House Bill 1941 is no fly-by-night invention of a few

opportunists. It is a bill that seeks to avoid serious difficulties that will threaten the natural prosperous development of higher education in Pennsylvania.

A State Council of Higher Education would have at least four clear-cut advantages which simply cannot be ignored. One, it would relieve the present State Council of Education of a burden it can handle only with difficulty; two, it would assure colleges and universities of more and better representation at the state level; three, it would draw more attention to the problems facing the growth of higher education in the state; four, it would protect the interests of all groups of institutions rather than let the greatest influence be relegated to the institutions having the highest endowments or appropriations.

The colleges and universities of Pennsylvania need help now, and they are going to need plenty more in the next decade when the explosive population will reach the doors of all of our colleges. Right now, the best way to help them is to support House Bill 1941 and give the colleges and universities of this great Commonwealth a State Council of Higher Education to help them in determining a problem with which we are all so greatly concerned.

I ask the Members on both sides of the aisle to lend wholehearted support to a most important piece of legislation facing the school people in Pennsylvania.

Mr. BUCHANAN. Mr. Speaker, this bill will take the functions of higher education out of the present Council of Education and put them into a different Council on Higher Education. As you recall, in the last Session this body approved a task force on the study of the problems of advanced training, in other words, higher education. We have been two years studying the problem of higher education. We did not recommend this bill.

As you examine the sponsors of this bill you will find not one member of this task force who spent two years studying this problem has sponsored this bill. I think that is very significant. There are a number of reasons why this bill should be defeated.

The proponents of this bill say that the present Council in the Department is not doing a good job as far as higher education is concerned. Is this due to the personnel, or is that due to the governmental structure? Changing the governmental structure and creating a new council does not mean the Department is going to do a better job. I am not saying that the Department is not doing a good job; I am just repeating the words of the proponents of this legislation.

At the present time the Council on Education has subcommittees; it has the subcommittee on higher education. What is this subcommittee doing? I think an example might show you why this legislation is bad. Let us go to the local school district. Would you favor school board for the elementary schools in your district, then have another school board for the secondary or high schools in your district. I think every Member of this House would be opposed to that system.

Under this legislation we are considering education as two problems, one on an elementary-secondary level, the other on the higher education level. Actually, education in Pennsylvania is one problem. From my experience on the task force I have found although we studied higher education, we spent a considerable part of our time on the study of secondary education. There is a very



close relationship between these two. The institutions of higher learning to a great extent determine what has to be taught in the high schools; how are you going to have coordination between the secondary school program and the colleges with two councils?

At the present time we have a Bureau of Higher Education in the Department of Public Instruction. We also have a deputy superintendent who is in charge of higher education.

In support of my viewpoint in opposition to this bill, I would like for you to look on page 42 of Education in Pennsylvania Today and Tomorrow, by the Committee of Fifteen of the Pennsylvania State Education Association. You will find on that page this organization representing the teaching profession of Pennsylvania opposes two councils. This professional organization is in favor of keeping one council which will have the responsibility of education from kindergarten on through our universities.

Mr. ANDREWS. Mr. Speaker, I desire to briefly discuss this bill.

I speak as an advocate of some of our educational institutions that have been orphans in the storm. I speak in behalf of the liberal arts colleges of this Commonwealth that have had no forum in which they could be heard, no pulpit from which to speak. These liberal arts colleges represent a great store of devotion. They were founded as a result of sacrifice and they have struggled and have done valient work with little encouragement and their voices have been drowned by the voices that spoke solely for and on behalf of our mighty educational institutions.

We need to integrate our educational facilities. We need a forum in which we can advocate policies that will endeavor all of our educational institutions to achieve their potentials. Liberal arts colleges, struggle as they have, have never achieved their potentials. They have facilities that are unrecognized; they have resources that are undeveloped; and in view, ladies and gentlemen of the House, of the record of these institutions established years ago by devoted men and women, with very little encouragement they have fought against the tide that has emphasized the tide that has tended to submerge those that were small.

The combined might, the combined facilities, the combined genius, the combined devotion of these liberal arts colleges equal the potential of our great universities. They need, ladies and gentlemen of the House, a forum in which they can sit down as equals with the larger institutions and help formulate a program which will give to each of our great institutions the place they should have and which will accord to our smaller institutions the ability to develop their potential and to capitalize upon the sacrifice of the past that has made them possible.

The state is not reaching through this bill to control any body. It is simply desiring to create a forum in which they can speak and formulate a platform which will help them achieve the potentials which they now possess.

Mr. McCANN. Mr. Speaker, the gentleman from Indiana, Mr. Buchanan, spoke about the task force on higher education and also spoke about local school boards and operations of schools now.

Let us check carefully the situation on elementary and

secondary schools. Public schools fall under the operation of local school boards. Do the colleges and universities in that district fall under any jurisdiction of these boards? The answer is no. Are we trying to seek a jurisdiction over them? I think the answer lies in, first, here is a telegram and a letter from every independent college in Pennsylvania in Liberal Arts. Name the school or college and here is their answer in support of this legislation. Regardless of which one you name, Susquehanna University, Thiel College, Juniata, W. & J., Mt. Mercy College, name any of them, and they are on record either by wire or by letter in support of this council of higher education.

The Pennsylvania Association of Colleges and Universities very carefully, under date of August 24, 1959, submitted to you their position in support of this legislation. As the Speaker of this House, Mr. Andrews has stated, the forum for them to be heard we now have in Pennsylvania, the State Teachers Colleges operated by the Commonwealth. We have our major universities. You and I are quite well aware that we have a so-called Pennsylvania State University Plan. You and I are well aware of the plan in which the State Teachers' Colleges are deeply interested, and then you and I are well aware that we have the largest segment of our schools, the independent colleges and universities, who carry a big load of our higher education. So, by creating the Council of Higher Education, we create a field in which all of them can be heard because we believe each has its place in this great Commonwealth of ours in the higher education field.

I believe that the Members of this House have received the same communications that I have, that they have received by wire or by letter the support of this particular piece of legislation establishing a council of higher education, and I urge every Member of this House to support this legislation so that all of our universities, our colleges, all schools of higher education will have the forum to be heard and heard by the council of higher education, so that they can work collectively in the fields of higher education and accomplish the goals they are all seeking, to provide higher education for all of our great youth of this Commonwealth.

Mr. Speaker, I cannot urge more strenuously the support of a piece of legislation than I do for House Bill 1941.

Mr. BUCHANAN. Mr. Speaker, I want to clarify a point. There is not a person who advocates good education more than I do. I believe that a good higher education is basic to the advancement of our great industrial-agricultural system in this country.

I want to ask permission to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. BUCHANAN. Could you tell me how many colleges sent you telegrams or letters in support of this bill?

Mr. McCANN. Just a minute. 22.

Mr. BUCHANAN. Now a few days ago you sent a letter to each Member of this House stating there were 125 colleges in Pennsylvania. Now, how many telegrams did you receive?

Mr. McCANN. Twenty-five individual letters and telegrams and then the letter of August 24th, of which you have a copy, from the Pennsylvania Association of



Colleges and Universities of which they all a member, in support of this piece of legislation. It was sent to you as a Member of the General Assembly from the executive secretary under the date of August 24 and was signed by the executive secretary, of which you have a copy. My letter was under date of August 18 to the Members of this House, which was submitted by myself, Mrs. Reibman, the Chairman of the House Education Committee, and the Legislative Secretary of the Governor.

Mr. BUCHANAN. Then you have received twenty telegrams, individual telegrams and letters from the 125 colleges? Now that means that 105 colleges have not bothered to send you an individual telegram or letter.

Mr. McCANN. Mr. Speaker, that is not a matter of fact that they have not bothered to send me a telegram. I have received numerous telephone calls. This is what I have on file at this point, besides the fact they support the letter of August 24, but yet these men and women, presidents of their universities and colleges took additional time to send a wire individually or a letter in support of this piece of legislation, House Bill No. 1941.

Mr. BUCHANAN. Could you tell me what position Pennsylvania State University is taking on this bill?

Mr. McCANN. Could I answer what position on which, Mr. Buchanan?

Mr. BUCHANAN. What position is Pennsylvania State University taking on this bill?

Mr. McCANN. Mr. Speaker, I have no correspondence from Dr. Walker of Pennsylvania State University either opposing or favoring this legislation. I would like to say that I participated in a series of three conferences in which Dr. Walker spoke about, is it called, The Pennsylvania State Plan? The title? Penn State's Plan, in which he advocated the establishing of Penn State Centers all over Pennsylvania.

Mr. BUCHANAN. Do you have any correspondence from the University of Pittsburgh, Temple University or the University of Pennsylvania in support of this bill?

Mr. McCANN. No, I do not have any individual correspondence from Penn State, Temple, Pitt or the University of Pennsylvania, the four schools which receive state grants, nor do I have any correspondence from the 14, telegrams or letters, State Teachers' Colleges which are entirely supported by the Commonwealth.

Mr. BUCHANAN. You have just answered my last question.

Mr. McCANN. I knew it was coming.

Mr. ANDREWS. I desire to interrogate the gentleman from Indiana, Mr. Buchanan.

The SPEAKER pro tempore. Will the gentleman from Indiana permit himself to be interrogated?

Mr. BUCHANAN. I shall, Mr. Speaker.

Mr. ANDREWS. As a rule, people who are violently opposed to anything make it known in this form. I would simply like to inquire how many letters or telegrams he has received from the representatives of the institutions who opposed this bill?

Mr. BUCHANAN. Did you say from institutions?

Mr. ANDREWS. From the spokesmen for institutions. You asked how many colleges had favored it and I am asking how many protests you have received against it.

Mr. BUCHANAN. Well I have received a number of telephone calls in opposition to this bill.

Mr. ANDREWS. I thank the gentleman. That is the best alibi I have heard on this floor in years.

Mr. BUCHANAN. I have not finished answering the question yet.

I did make a statement here on the position of the Pennsylvania State Education Association which is the same as the Bar Association is for the lawyers or the Medical for the doctors. The professional organization has taken the position against this bill.

Mrs. REIBMAN. Mr. Speaker, in answer to Mr. Buchanan, the gentleman from Indiana, and in further clarification, I might add that I noticed on my letter from the Pennsylvania Association of Colleges and Universities that the vice-president of that Association is the president of Pennsylvania State University, Dr. Walker. I also noticed that on the Executive Committee is the president of the University of Pennsylvania, Dr. Gaylord Hornwell.

In reading through this carefully, I noticed that in October of 1957 the Pennsylvania Association of Colleges and Universities, of which Penn State and the University of Pennsylvania are members, adopted a resolution urging this Commonwealth to give the Council of Higher Education its most serious consideration to the end that it be brought into existence without the least possible delay. The position of this Association has not changed and only recently the executive committee of which Dr. Hornwell is a member, Dr. Walker is the vice president, reaffirmed its support of legislation which would create a council on higher education.

Mr. DENGLER. Mr. Speaker, I usually come before this microphone in a very harmonious note singing "Happy Birthday to you," but today I am afraid I have to be a little unharmonious because I oppose this bill, 1940, only mildly.

Mrs. Reibman just said that the President of the University of Pennsylvania, Doctor Hornwell, said that we should give this legislative serious consideration. I think we have now been discussing it about 30 minutes. In the last Session of this legislature all the educational bills came in the end. House Bill 183 was discussed about the last two weeks. Here we are again talking about an adjournment date and we are talking about councils of higher education.

I have been a secondary school teacher for 41 years, and one of the arguments that we always get into is this one, and this a very basic argument. Colleges are telling us in secondary education what to teach. We have had young people graduate from our high schools and they could not get into certain universities or colleges because they did not have plane geometry. Now some kids just cannot get plane geometry and, because of that requirement held up by colleges and universities, they just could not get in. The colleges and universities have in the past set very arbitrary standards for admission. They have been criticizing the public schools because the kids cannot spell, they cannot compose an ordinary paragraph in good English. Instead of starting where we left them, they go and criticize us and tell up what we should do. I believe the reverse should be true. I think secondary education should tell the colleges what to teach, because we are trying here in this country the greatest experiment in the history of the world, and that is, to educate everybody. We have had, I think, a fairly



successful experiment up to this point. But I do not think the colleges have helped to any great degree.

Let me say something about the present Council of Education. Here is something that I could never understand. Bills are introduced making mandatory the teaching of driving education. I thought the Council of Education had the prerogative to tell us what to teach. Instead of that we are told, no they do not have that prerogative. I am told that the state Council of Education as presently constituted is the main body to control education philosophy and principles and yet its power has to be augmented from time to time by mandatory legislation.

We also know that on the State Council of Education there are college people, that they have a subcommittee that is supposed to deal with college problems. They only meet once every two months. So I will say, and I do not want to become too enthusiastic or passionate on this problem, there are some arguments in favor of a higher council of education, and I think we are all here to try to come up with something that will help education.

There is one word that was mentioned up to this point and that was this one, "integrate." If I could be sure that the work of the present State Council could be integrated and coordinated with this higher council, I would vote for this bill; but no one can tell me when it comes to education that you are going to integrate and coordinate. The chances are that you are going to fight one another. Because I know educators. They do not get together for 10 minutes before they are in a terrific argument, and I am supposed to be one of the educators. So this thing is not glossed over in a discussion of 35 to 40 minutes. I have taken the position in our caucus that this whole matter is not given serious enough consideration, that we introduced these bills and they are not drafted properly yet we are supposed to vote for them. I am here for an integrated educational process and I do not think you can separate the kindergarden from the college senior.

It is a gradual growth. It grows on certain levels. You cannot all of a sudden say, here it stops, and, from here on it takes on new aspects. Not at all. So I will say that I mildly oppose this bill. There are some features that are good, but I do not think it has been thought through sufficiently and, because of insufficient time only I am voting against 1941.

Mr. STROUP. Mr. Speaker, I find myself in the position as a sponsor of this bill as one who up to this moment has sat quietly and listened to the debates pro and con. I would not have the Members of the House come to the conclusion that as a sponsor I did not thoroughly review all the implications and the ramifications of House Bill 1941 before I went along with the sponsorship as a co-sponsor with the others.

I go back a number of years and I find in my mind an effort in this Commonwealth, by reason of salient factors that have concurred in our society, to strengthen higher education in the Commonwealth, has been the intent throughout this entire nation. This General Assembly four years ago sat silent, Mr. Speaker, little was achieved indeed. There was a task force on higher education, that is true, but I ask, where is the recommendation? What has been brought to us that we should implement in this General Assembly? To this date I know of no recommendation that has come to my attention.

In support of the very excellent statements made by

our distinguished Speaker and by the Chairman of our Committee on Education, and the Majority Leader, I find myself aligned across the aisle, because it is my considered opinion that the time is long past when this General Assembly should take a positive step rather than continue to delay the implementation of a program which is so essential to higher education in the Commonwealth of Pennsylvania. True, very true, it is, that the Association of Colleges and Universities of Pennsylvania endorsed this program. True, very true, it is that many of the small colleges and some of the personnel have discussed the matter and urged my support of this legislation.

May I say, Mr. Speaker, that as a graduate of a small college, I am in deep sympathy with the statements which you made to this General Assembly relative to that lack of a sounding board and forum in the Commonwealth of Pennsylvania for many, many years. Here we give them that sounding board and forum. Oh, yes, says the gentleman from Indiana, we are going to take the function of the bureau of higher education out of the State Council, and the proponents say that it has not functioned efficiently. Well, give us evidence then, indeed, that it has not functioned efficiently for higher education. There is no evidence to be shown. It has been done quietly and efficiently now for a great many years.

And says the gentleman then from Delaware, in his delivery to us on his opposition to this bill, that the Council of Education should serve as a mediator on requirement for admission to colleges, or that there should be something done about it, rather, I think quoting him more accurately. Indeed that is true and that will be one of the functions of this council, to try to work out the admission requirements from our secondary schools to our higher institutions of learning.

Then says the gentleman from Delaware, also, that he believes, to which I take strong exception, secondary education should dictate the requirements to institutions of higher learning. Now, ladies and gentlemen, too long in the educational system of this nation have we declined to make the common man's cause ours. Too long have we tried to tax everybody into the mood rather than do everything we can on the higher level of education to strengthen the natural capacities and abilities of those who have those capacities to go further. I say to you, one of the worst things we have done in this entire society is the fact that we do not any longer educate for cultural advantages in our society, and therefore lose some of the basic philosophies of our existence. Though I take strong issue with that statement.

We need a council on higher education to establish curricula in this Commonwealth of ours to standardize our institutions of learning, exactly as to how they should function and what they should teach, and to say to our secondary schools, this we need to make our people well educated and finally acclimatize the society in which they live. But says the gentleman, indeed, we shall not be able to have a state council of education or a council of higher education integrated and coordinated in their functions one to the other. Well, when indeed have we ever been able to find in this General Assembly such integration and coordination. It is only out of that that we get the finest attitudes and the finest developments in our educational system. This question of what secondary



education wants and what does higher education want, between the two, can resolve itself.

I could not subscribe that such envy and jealousy would exist between such intelligent men and would destroy their worth to a council of higher education and the Council of Education, as we have today.

Ladies and gentlemen, I am not going to speak further upon this. I am sincerely and earnestly interested in the creation of the council of higher education. I figure it is good legislation. I endorse it sincerely and I believe, furthermore, for us to turn it down would be a mistake in this nation.

Mr. NELSON. Mr. Speaker, the longer we sit here the more I am inclined to agree with the gentleman from Delaware when he mentioned that when educators get together they tend to argue. I am not here to argue about this particular piece of legislation. However, a while ago the PSEA was dragged into debate. I, too, am a member of the PSEA and have been for a long period of time. I not only have been a member but think I have performed services for that organization.

In this particular instance I believe this particular group is wrong in their debate. As a member, I was not contacted by the leaders of the PSEA and asked what my position was in this particular matter. I do not believe that the thousands throughout the state had a chance to tell their organization how they feel. As a member of PSEA I am in favor of the bill and ask the support of all the Members of this House because of need for this good legislation.

Mrs. PASHLEY. Mr. Speaker, I would just like to inform Mr. Stroup that there have been seven bills introduced from the task force committee that studied higher education. I am referring to House Bills 1985 to 1991 inclusive.

Mr. DENGLER. Mr. Speaker, since I made the statement that secondary education should have more to say about what follows the post-secondary course, let me elaborate just very briefly on that point.

Today we are talking about the pursuit of excellence in studies made by the Carnegie Foundation and I, as a teacher in our secondary schools, have always tried to weed out the persons who can take this higher education and I have tried to discourage the persons who cannot take it. I believe with Mr. Stroup that we should perhaps have an aristocracy of brains. Yes, but we also have to have courses and curricula that are beamed for the person who may not be able to achieve in those higher brackets, and there has not been sufficient diversification courses in our colleges.

What has this subcommittee on higher education been doing in our present State Council? I have seen very few pronouncements. I have seen very few studies and I believe until we find out from the present setup or try to get information from them, I don't see that there is much need in having another council, which I think would dilute the whole responsibility for total education.

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from Delaware, Dr. Dengler, for just a moment.

The SPEAKER pro tempore. Will the gentleman from Delaware, Mr. Dengler, permit himself to be interrogated?

Mr. DENGLER. I will, apprehensively.

Mr. McCANN. Will the gentleman tell us, on page 7

of the proposed bill, if it does not deal clearly with the coordinations of the functions of the two councils?

Mr. DENGLER. As I said before, Mr. McCann, if I could be sure that these two councils could be perfectly integrated or even imperfectly integrated, if I could be sure that they would dove-tail and that they would actually work together as we think they might, then I would say yes.

Mr. McCANN. Mr. Speaker, may I ask the gentleman one more question?

In your debate, Dr. Dengler, did you say, if I understood you correctly, that this had not been given much study or hastily prepared? Is that about what you stated?

Mr. DENGLER. Yes, I said that because we have not discussed it too thoroughly in our caucus, I think. We had a special committee working on it. I have heard it mentioned from time to time, but this is really the first discussion I have heard on it, right here on the floor of this House for the past 45 minutes.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

If the Members will read very carefully, and I assume that every Member reads the bills carefully in his respective caucus, I bring to your attention on page 7, the section dealing with the co-ordination,

Then, Mr. Speaker, in 1955, four years ago, I was Chairman on the Committee on Education and then participated in a series of conferences. In 1957, I believe it was in 1956 or 1957, I even had the golden opportunity to attend the White House Conference on Education in Washington, D. C., in which Pennsylvania's delegates led and discussed their problems as well as nationwide problems. Then in 1957 and 1958, I participated in a series of conferences, including one in which the PSEA was a part, and in which higher education and a council of higher education was discussed. In 1959, the present year, I had the opportunity to check carefully with the proposed drafts of the legislation that Mr. Stroup and the other Members have co-sponsored here. I, as a young Member of this House, can say to you that I personally have participated in four years of conferences, in drafts of legislation and discussions pertaining to the establishment of a council on higher education.

This bill was drawn hurriedly? Never was it drawn that way. I think that this piece of legislation is now just a simple proposition that you must decide and you must decide it in your own mind.

The present State Council of Education spends ninety-five percent of its time doing what? You have loaded it down to such an extent with re-organization, plans, approval plans, classrooms, financing, every doggoned thing that does not pertain to curricula. Have you ever attended a meeting of the Council of Education? Have you seen the things that have been brought before them? How can they possibly spend the time they need to spend? They want to do a good job and I know they try and they do their very best under the conditions.

This establishes a council of higher education, and I say to you, Doctor and Members of this House, now you have the chance to pass it and, if it does not work, you can repeal it; but you never can establish it unless you first vote for it to see if it will do the job that you and I believe it can do.

Mr. SCHWARTZ. Mr. Speaker, I am a co-maker of this



bill. I am not an educator but I do have children of college age. I am also very familiar with the high cost of college education at the present time.

This Bill 1941 is very, very necessary to implement 1940. I think the Members of this House are all familiar how expensive a college education is. I am deeply interested in this bill because earlier in this Session and in the 1957 Session I sponsored legislation very similar to House Bill 1940. We are losing a great deal of brains in Pennsylvania which never become educated because of the prohibitive costs. This bill and 1940 will not in any way harm our existing colleges; in fact, it will ease our existing colleges. Our large universities today are overcrowded. They will become even more so in the future. This bill and 1940 will permit the young man and young woman whose family cannot afford to send them to college today to be able to do so for at least two years' time.

I say to you that you should have a council of higher education which deals with problems of higher education, with college problems, and not high school problems. Frankly, I cannot understand the quibbling on the floor of this House, I am glad I am not an educator at this point. I say to you that this is good needed legislation. It ought to be voted on by both sides of this House.

Mr. HEAVY. Mr. Speaker, Mr. Schwartz stole my stuff. He was ahead of me.

I think it is positively criminal that a boy cannot go to college because his parents have not the money to pay for it. I think it is positively criminal, a boy that could be a big asset to his community.

The Senators get scholarships from Penn and Temple and even those recipients have to pay \$300 and up. Even those boys that get the scholarships have to pay \$300.

What I would suggest is that the Board of Education in Philadelphia should merge their high school buildings into a night college course and then get an appropriation from this House so there would be a possibility for every boy who wanted to go to college to get a free college education. Mr. Schwartz had to beat me to it.

Mr. BRETH. Mr. Speaker, I think this bill should be passed. There are many considerations in our educational program but I read one this morning in the Post Gazette that frightens me. I want to read to you what it says. These are the words of Dr. Teller who is considered the father of the hydrogen bomb and here is what he says and I quote

I think there cannot be a shadow of a doubt that ten years from now Russia will be the unquestioned leader in the scientific field.

This is something which I believe we cannot change, no matter what we do today. To educate a scientist is a long-drawn-out process. It takes many years. The best minds are the youngest minds.

The Chief contribution to scientific work is made by people between, say, 25 to 30. The people on whom this duty will fall in ten years are learning today. They are in greater number and they are better educated in the Soviet Union than they are anywhere else.

And even if we bend all our efforts to change the present situation, all we can hope for is to regain lost leadership later. That we are going to lose our leadership is inevitable.

Now anything that can be done this bill will do it. To increase our future potentials, to develop scientific

minds should not be lightly passed over and voted down for some personal or private reason. This bill should be passed in the interest of the future of our scientific program in the United States as opposed to the Russian program.

Mrs. KOOKER. I simply rise to make a few comments on this bill.

I was asked to be a sponsor of this bill. I sponsored it because I felt it was good legislation. It may not be perfect in every aspect but I sincerely feel that it is a step in the right direction. For that reason again, I ask all the Members who can see their way clear on this side of the aisle to vote in favor of this bill.

Mr. AUKER. Mr. Chairman, I am not an educator and I guess I am glad I am not. I want to touch on another aspect of this thing, that some of the speakers possibly might have indicated just what this program might be, and that is control of our independent Liberal Arts Colleges by the state of Pennsylvania and that I would never like.

Now they say we need a forum. They have a forum right now in the Association of Colleges and Universities of this state. What better forum do they need? We have one of the best educational systems in the world right here in Pennsylvania. And we have had for years one of the best classes of independent colleges, liberal arts colleges and universities outside of those authorized by the state in this Commonwealth.

Now is it the purpose of these bills to eventually lead into the program that the curricula of our independent colleges are going to be dictated by a higher State Council of Education appointed by a politically elected Governor? I say, no, no, let us never take a step in that direction. You talk about Russian education. Possibly you are leading right into such a system of education when you sponsor such a program. That is why I am opposing this bill.

Like the gentleman from Delaware said, we should not vote on it until we have given it proper thought and proper study, and not vote on it on the spur of the moment after but a few minutes' discussion on the floor of this House. I am afraid of this kind of education to legislate, deathly afraid. That is why I hope every Member who has the individual liberty of the people of this country and of this state at heart will oppose this brand of the worst kind of public welfare legislation that I have ever seen.

Mr. SCHAAF. Mr. Speaker, I would simply like to inquire whether there is any necessity of taking a roll after hearing all these speeches.

The SPEAKER pro tempore. The Chair thinks it would be a good idea if the Members would permit the roll to be called.

Mr. SCHWARTZ. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Auker, for a moment.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. AUKER. I shall, Mr. Speaker.

Mr. SCHWARTZ. The gentleman made a rather inflammatory series of remarks and I would like to know where in this bill he finds the information that he just gave to the House. I would like to refer the gentleman, if he will, to look at page 6 of the bill, Section 1309.1, and ask the gentleman whether there is anything new in



this bill given to the council of higher education which the present Council of Education does not already have.

Mr. AUKER. That might be true, Mr. Speaker. If it is true, then why have a higher council of education?

Mr. SCHWARTZ. I want you to answer the first question, Mr. Auker, because I say to you that the section to which I just referred was merely transferred from the present Council of Education, the same duties as that council has to the Council on Higher Education. I would like to know where you found in this bill the information for your remarks that you just made.

Mr. AUKER. I do not find it in the bill possibly expressly, Mr. Speaker, but impliedly, and underneath, personally, I can see it. You may not agree with me. That is our difference in viewpoint. I still say it and I will stand by it.

Mr. SCHWARTZ. Does the gentleman feel the same way about the present Council of Education?

Mr. AUKER. Well, now we might get into a debate that would take us all afternoon, Mr. Schwartz. I would not want to—

Mr. SCHWARTZ. I think the gentleman has answered the question sufficiently, Mr. Speaker.

Mr. AUKER. It could be and it might not be, I do not know.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. BUCHANAN, AUKER and WORLEY. The roll was verified and was as follows:

## YEAS—119

Anderson,	Frascella,	Meholchick,	Scarcelli,
Arlene,	Galley,	Mihm,	Schaaf,
Balthaser,	Gallagher,	Mills,	Schuster,
Bodes,	Garlock,	Monroe,	Schwartz,
Bonner,	Gelfand,	Muldowney,	Seltzer,
Boris,	Goldstein,	Mullen,	Sherman,
Branca,	Hamilton,	Munley,	Shupnik,
Breth,	Heavey,	Murphy, A. J., Jr.,	Silverman,
Burns,	Heffner,	Murray, J. J.,	Snider,
Capano,	Holt,	Needham,	Stank,
Capitolo,	Irlis,	Nelson,	Steckel,
Cianfrani,	Jenkins,	O'Donnell, J. A.,	Stevens,
Cioffi,	Jim,	O'Donnell, J. P.,	Stewart,
Clarke,	Jones, F. R.,	Ogilvie,	Stimmel,
Comer,	Kamyk,	O'Neill,	Stone,
Crossin,	Kee,	Parlante,	Stroup,
Curwood,	Kessler,	Pashley,	Taylor,
Dennis,	Kooker,	Perry, H. H.,	Trusio,
Devlin,	Kovolenko,	Perry, P. E.,	Varallo,
Donaldson,	Lamb,	Petrosky,	Verona,
Dougherty,	Leonard,	Polaski,	Wargo,
Elberg,	Limper,	Polen,	Welsh,
Eshleman,	Lopresti,	Prendergast,	Whittaker,
Farabaugh,	Luigard,	Reibman,	Williams, A. D., Jr.,
Filo,	Lutty,	Reidenbach,	Williams, E. S.,
Fineman,	McCann,	Renwick,	Wood,
Flynn,	McDonald,	Riley,	Yatron,
Foerster,	McKeever,	Rovansek,	Yetter,
Fox,	Markley,	Rudisill,	Andrews,
Frank,	Maxwell,	Sakulaky,	Speaker

## NAYS—63

Agnew,	Fetterolf,	Kernaghan,	Odorisio,
Auker,	Fulmer,	Korns,	Price,
Barton,	George,	Kubitsky,	Pursley,
Bell,	Goodrich,	Lee, A. M.,	Rigby,
Bower,	Gramlich,	Lee, K. B.,	Stoner,
Bowman,	Guthrie,	Lippincott,	Tompkins,
Brenninger,	Heim,	McCandless,	Ujohal,
Buchanan,	Henzel,	McInroy,	Varnar,
Davis,	Hocker,	Machmer,	Wall,
Dengler,	Holliday,	Magee,	Weidner,

Dennison,  
Donahue,  
Down,  
Edwards,  
Eshback,  
Ewing,

Horst,  
Isaacs,  
Johnson, A. W.,  
Johnson, R.,  
Jones, T. H. W.,  
Kelser,

Mahan,  
Miller, B. Z.,  
Miller, H. G.,  
Murphy, P. J.,  
Murray, H. P.,  
Naugle,

Wescott,  
Willard,  
Willaredt,  
Worley,  
Zimmerman,

## NOT VOTING—26

Ashton,  
Blair,  
Brown,  
Cooper,  
Floyd,  
Gibb,  
Jump,

Knecht,  
Kornick,  
Light,  
McCormack,  
McLaughlin,  
Merry,  
Moran,

Murray, P. G.,  
Musto,  
O'Dell,  
Royer,  
Snare,  
Strausser,

Sullivan,  
Thompson,  
Walsh,  
Wheeler,  
Wilt,  
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REASONS FOR VOTE

Mrs. HENZEL filed the following reasons for her vote on House Bill No. 1941:

As a member of the Board of Directors of a small college, I am casting my vote in the negative to do all I can to maintain the independence of the privately owned operated and endorsed colleges of our Commonwealth. Such a council can well impair this precious heritage of educational system by the extension of its long arm of control, subjecting these schools to an already too regimented society lacking personal and private initiative and thinking.

## REASONS FOR VOTE

Mr. Dengler, Mrs. Kernaghan, Messrs. Odorisio, Isaacs, P. J. Murphy, Lippincott and Bell filed the following reasons for their vote on House Bill No. 1940 and House Bill No. 1941:

Educational bills are usually introduced at the end of legislative sessions. As a rule there is insufficient time for thorough study and discussion.

All thoughtful citizens are interested in the post-secondary educational problems that confronts us. House Bill No. 1940 and House Bill No. 1941 generate many questions. Here are some of them:

1. Is the Junior College the answer?
2. Are the community centers that are being presently established by colleges and universities the answer?
3. Is closed-circuit T. V. teaching in our Colleges the answer?
4. Should our 13 Teachers' Colleges be changed to Liberal Arts Colleges with greater diversification of curricula?
5. Will the problem of responsibility be diluted by having 2 State Councils of Education?

These are unanswered questions. No one knows the answers completely.

The Delaware County delegation believes these bills House Bill No. 1940 and House Bill No. 1941 do not clarify the post-secondary educational problem and therefore the delegation has cast its votes in the "no" column.

We the undersigned, believe in post-secondary education regardless of name-community college-Junior College, but we are also of the opinion that legislation in this category should be more carefully drafted and more thoroughly discussed and studied.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1940, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" \* \* \*

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BUCHANAN. Mr. Speaker, I disagree with the Majority Leader that this is a companion bill. There is a different issue involved here altogether. Under this bill a new system of colleges would be established in Pennsylvania, a new system entirely. We have now, in Pennsylvania, 125 colleges; I do not believe there is another state in the Union that has the number of colleges we have. I would again like to make an observation of this bill.

The task force on the study of problems on advanced training did not recommend this bill. None of the members of the task force are sponsoring this bill. I have listed here a number of reasons why a number of us are opposing this bill.

First, we believe that if we need more college space the existing facilities should be expanded. You will find that we have in this House now, House Bill 866, which will change the State Teachers' Colleges into State Colleges. The Pittsburgh Press on March 29, 1959, in an editorial, endorsed this bill. The advisory panel to the task force on advanced training also endorsed changing the State Teachers' Colleges into State Colleges.

Second, House Bill 1569, which was introduced, changes or would create the Pennsylvania Higher Education Assistance Authority. This would tend to expand the number of students in our colleges. We should expand the present centers. If there is an area of space that needs a college, certainly the present institutions could create centers. I would like to give some examples of that. In fact, on July 22, 1959, the President of Pennsylvania State University said that they could expand their number of centers. In Harrisburg we have a very good example of a good center. The center was created by five colleges. It is held in one of the high schools with the approval of the school board; they now teach 18 undergraduate programs and eight graduate programs.

Let us go over to Johnstown, we have an excellent college in Johnstown. It started out as the Johnstown Center of the University of Pittsburgh. Today it is the Johnstown College Affiliated with the University of Pittsburgh. That is a good procedure for expanding our institutions of higher learning.

All right, on the second reason for defeating this bill; you remember a few years ago every hamlet in Pennsylvania wanted a high school. Now, what is our problem today? Our problem today is to consolidate those high schools into efficient units. This bill will create too many colleges. We will be faced with the problem of colleges closing their doors.

Third, traditionally we have a state-financed system of higher education in Pennsylvania as far as the state-owned and the institutions which have state assistance. We do not operate our present institutions of higher learning on a local agency basis, such as you would have in this bill, whereby the school boards would operate these institutions. Of course, the school boards would create a board of trustees but still it would be under local control rather than state.

Fourth, I doubt if the credits from these institutions would be accepted in the present colleges and universities. I believe that the present colleges and universities have the proper leadership for heading these centers for expanding our Teachers' Colleges into State Colleges. Why go to new leadership which may not be good?

Fifth, under this bill the state would be obligated to spend \$50 per student per semester. At the same time our present institutions are saying to us in Pennsylvania, we need more money.

Sixth, I think a lot of you have heard how, under bill 1108, because the school districts of Pennsylvania say we need more money, the school districts could levy a four mill tax. If there is a school district in Pennsylvania today that has the ability to finance these junior colleges, I would like to know the name. Maybe they do not need increased financial assistance to that school district.

Seventh, this bill says that community colleges will be set up. What is a community college? Almost every individual that I talked to has a different explanation of a junior college or community college. I believe that most people want a technical school, not a college.

I am certainly opposed to this bill. I have a political philosophy that if you are in opposition to something, you also should have a constructive program. Here is a program which I think is better than the one proposed in this bill.

First, change the State Teachers' Colleges into State Colleges and they will be community colleges.

Second, create this Pennsylvania higher education assistance authority so that students can borrow money and go to the independent colleges and the other colleges of Pennsylvania.

Third, permit the present colleges and universities to continue the expansion of their centers and permit other colleges, such as the State Teachers' Colleges, to create new centers where they are needed.

Mr. AUKER. Mr. Speaker, it is not the speaker's fault, but this bill was called up at this very inopportune time. He is entitled to be heard. It is a very vital piece of legislation and it is terrible that he has not been given the attention, and with a full house, that this bill merits. I ask that this House be put in proper shape to listen to the debate on a very important issue.

The SPEAKER protempore. The House will be in order. The gentleman is entitled to be heard.

Mr. BUCHANAN. I agree it is a very important issue but I did not say anything about the conversation and so forth because I realized the Members are hungry. But, this certainly is an important issue.

I have just finished, you might say, my talk in opposition to this bill and I request the entire membership to oppose this bill and then get the Education Committee to put out our program.



## PARLIAMENTARY INQUIRY

Mr. GELFAND. Mr. Speaker. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. Mr. Speaker, if I am in my seat and cast my vote when my name is called, do I have to remain for the rest of the roll call.

The SPEAKER pro tempore. It would be entirely up to the gentleman as to whether or not he wanted to remain after he has answered to his name, but the Chair would request that you do remain in order to help out on the verification of the roll.

Mr. GELFAND. My question is, do I have to remain for the verification if it is obvious that I cast my vote when my name was called?

The SPEAKER pro tempore. The answer is yes. A Member must remain in his seat as long as the House is considering a roll call.

Mr. McCANN. The question he asked you is very simply answered. Some members are leaving their dinner on the table. If a Member walks into this House when his name is called and he answers aye or no he is on the roll call and properly recorded. However, after he has voted, verification may come later. We are bringing up about 25 or 30 Members from the cafeteria now who are leaving their lunch. They have no right to be there any more than we have. We should be there eating now, but the verification stands.

The SPEAKER pro tempore. The Chair will answer the inquiry. No Member may absent himself from this House without permission of the House during the time we are in Session.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. BUCHANAN, AUKER and OGILVIE. The roll was verified and was as follows:

## YEAS—106

Anderson,	Gallagher,	Mihm,	Sakulsky,
Arlene,	Garlock,	Mills,	Scarcelli,
Balthaser,	Gelfand,	Monroe,	Schaaf,
Boles,	Goldstein,	Muldowney,	Schuster,
Bonner,	Hamilton,	Mullen,	Schwartz,
Branca,	Heavey,	Munley,	Sherman,
Breth,	Holt,	Murphy, A. J., Jr.,	Shupnik,
Capano,	Irvis,	Murray, J. J.,	Silverman,
Capitolo,	Jenkins,	Needham,	Snider,
Cianfrani,	Jim,	Nelson,	Stank,
Cioffi,	Jones, F. R.,	O'Donnell, J. A.,	Stevens,
Clarke,	Kamyk,	O'Donnell, J. P.,	Stewart,
Comer,	Kee,	O'Neil,	Stone,
Crossin,	Kooker,	Parlante,	Stroup,
Curwood,	Kovolenko,	Pashley,	Taylor,
Dennis,	Lamb,	Perry, P. E.,	Trusio,
Devlin,	Leonard,	Perry, H. H.,	Varallo,
Dougherty,	Limper,	Petrosky,	Varner,
Elberg,	Lopresti,	Polaski,	Verona,
Farabaugh,	Luigard,	Polen,	Wargo,
Filo,	Lutty,	Prendergast,	Welsh,
Fineman,	McCann,	Reibman,	Williams, A. D., Jr.,
Flynn,	McDonald,	Reidenbach,	Yatron,
Foerster,	McKeever,	Renwick,	Yetter,
Frank,	Machmer,	Riley,	Andrews,
Frascella,	Maxwell,	Rovansek,	Speaker
Galley,	Mehoichick,	Rudisill,	

## NAYS—76

Agnew,	Fetterolf,	Korns,	Rigby,
Auker,	Fox,	Kubitsky,	Royer,
Barton,	Fulmer,	Lee, A. M.,	Seltzer,
Bell,	George,	Lee, K. B.,	Steckel,
Boris,	Gramlich,	Lippincott,	Stimmel,
Bower,	Guthrie,	McCandless,	Stoner,
Bowman,	Heffner,	McInroy,	Strausser,
Brenninger,	Helm,	Magee,	Tompkins,
Buchanan,	Henzel,	Mahan,	Ujobal,
Burns,	Hocker,	Markley,	Wall,
Davis,	Holliday,	Miller, B. Z.,	Weidner,
Dengler,	Horst,	Miller, H. G.,	Wescott,
Dennison,	Isaacs,	Murphy, P. J.,	Whittaker,
Donahue,	Johnson, A. W.,	Murray, H. P.,	Williams, E. S.,
Donaldson,	Johnson, R.,	Naugle,	Willard,
Down,	Jones, T. H. W.,	Odorisio,	Willaredt,
Eshback,	Kelser,	Ogilvie,	Wood,
Eshleman,	Kernaghan,	Price,	Worley,
Ewing,	Kessler,	Pursley,	Zimmerman,

## NOT VOTING—26

Ashton,	Goodrich,	McLaughlin,	Snare,
Blair,	Jump,	Merry,	Sullivan,
Brown,	Knecht,	Moran,	Thompson,
Cooper,	Kornick,	Murray, P. G.,	Walsh,
Edwards,	Light,	Musto,	Wheeler,
Floyd,	McCormack,	O'Dell,	Wilt,
Gibb,			Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I request a recess of forty-five minutes for lunch, and ask that all Members return promptly.

## RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of forty-five minutes.

The Chair hears none.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

## BILL INTRODUCED AND REFERRED

By Messrs. McCANN and BUCHANAN.

HOUSE BILL No. 2359.

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," fixing the compensation of auditors.

Referred to the Committee on Rules.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

## SENATE BILL No. 75

An Act amending the act of December 22, (P. L. 1726) entitled "Pennsylvania Loyalty Act" providing for the filing of loyalty oaths by persons nominated or elected as write-in-candidates.

Referred to the Committee on Rules.

## SENATE BILL No. 1049

An Act amending the act of May 23, 1945 (P. L. 913) entitled "Professional Engineers Registration Law" further defining the practice of engineering and authorizing registration of certain qualified persons without examination.

Referred to the Committee on Professional Licensure.

## SENATE BILL No. 1055

An Act amending the act of May 19, 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" providing for payment of costs in non-support cases.

Referred to the Committee on Judiciary.

## SENATE BILL No. 1062

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing public authorities to reduce speed limits on streets which are not through highways or main arteries of traffic or State highways.

Referred to the Committee on Rules.

## SENATE BILL No. 1064

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class . . ." regulating credit for pension for previous employment by the city other than in the bureau of fire and further regulating pensions of reinstated members.

Referred to the Committee on Rules.

## SENATE BILL No. 1078

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof.

Referred to the Committee on Rules.

## SENATE BILL No. 1084

An Act reenacting and amending the act of June 21, 1957 (P. L. 392) entitled "An act requiring that meetings of the governing bodies of political subdivisions and of certain authorities and other agencies performing essential governmental functions shall be open to the public" requiring public notice of such meetings and prescribing penalties.

Referred to the Committee on Rules.

## SENATE RESOLUTION SERIAL No. 114

Referred to the Committee on Rules.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1.

An Act amending the act of June 11, 1947 (P. L. 565) entitled "World War II Veterans' compensation Act" extending the time during which applications may be filled for veterans' compensation and making an appropriation.

## HOUSE BILL No. 142.

An Act amending the "Pennsylvania Election Code"

approved June 3, 1937 (P. L. 1333) changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor.

## HOUSE BILL No. 195.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing Commonwealth reimbursement to school districts on account of migratory children attending their schools.

## HOUSE BILL No. 223.

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" exempting organizations composed of mothers of men or women who were members of the armed services of the United States during time of combat.

## HOUSE BILL No. 256.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) designating magistrates or justices of the peace before whom informations charging summary offenses may be brought.

## HOUSE BILL No. 323.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code," extending the time in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidences of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business.

## HOUSE BILL No. 609.

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid" by making this act apply to turtles frogs and tadpoles changing creel limits and revising methods of taking.

## HOUSE BILL No. 869.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children.

## HOUSE BILL No. 1029.

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" increasing the debt limit of school districts when the State Constitution is amended to permit such increase.

## HOUSE BILL No. 1305.

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act.



## HOUSE BILL No. 1430.

An Act repealing section 1035 act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle.

## HOUSE BILL No. 1658.

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" by making the time when a red light shall be placed on objects extending beyond the chassis conform with the time when lights shall be displayed on all vehicles and tractors and further providing for the visibility of such lights.

## HOUSE BILL No. 1714.

An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes.

## SENATE BILL No. 477.

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" increasing and fixing the salaries of certain county officers.

## SENATE BILL No. 478.

An Act amending the act of June 25, 1947 (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" increasing the salaries of certain employees and county officers.

## SENATE BILL No. 479.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain county officers in counties of the eighth class.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2013, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) requiring the approval of mufflers by the Secretary of Revenue and prohibiting the sale or lease after specified dates of unapproved mufflers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—160

Anderson,	Frank,	McCandless,	Reibman,
Arlene,	Frascella,	McCann,	Reidenbach,
Balthaser,	Fulmer,	McDonald,	Renwick,
Barton,	Galley,	McInroy,	Riley,
Bell,	Gallagher,	McKeever,	Rovanssek,
Bonner,	Garlock,	Machmer,	Rudisill,
Boris,	George,	Mahan,	Sakulsky,

Bower,	Goldstein,	Markley,	Scarcelli,
Branca,	Heavey,	Maxwell,	Schaaf,
Brenninger,	Hefner,	Meholchick,	Schwartz,
Breth,	Helm,	Mihm,	Seltzer,
Buchanan,	Henzel,	Miller, B. Z.,	Sherman,
Burns,	Hocker,	Miller, H. G.,	Shupnik,
Capano,	Holliday,	Mills,	Silverman,
Capitolo,	Holt,	Monroe,	Snider,
Cianfrani,	Horst,	Muldowney,	Stank,
Clarke,	Irlis,	Mullen,	Steckel,
Comer,	Isaacs,	Munley,	Stimmel,
Crossin,	Jenkins,	Murphy, A. J., Jr.,	Stoner,
Curwood,	Jim,	Murphy, P. J.,	Strausser,
Davis,	Johnson, R.,	Murray, H. P.	Stroup,
Dengler,	Jones, F. R.,	Murray, J. J.,	Taylor,
Dennis,	Jones, T. H. W.,	Naugle,	Tompkins,
Dennison,	Kamyk,	Needham,	Varnier,
Devlin,	Kee,	Nelson,	Varallo,
Donahue,	Keiser,	O'Donnell, J. A.,	Verona,
Donaldson,	Kernaghan,	O'Donnell, J. P.,	Wall,
Dougherty,	Kessler,	Odorisio,	Wargo,
Down,	Kooker,	Ogilvie,	Weldner,
Edwards,	Korns,	O'Neil,	Welsh,
Eshback,	Kubitsky,	Parlante,	Whittaker,
Eshleman,	Lamb,	Pashley,	Willard,
Ewing,	Lee, A. M.,	Perry, H. H.,	Williams, A. D., Jr.,
Farabaugh,	Lee, K. B.,	Perry, P. E.,	Williams, E. S.,
Fetterolf,	Leonard,	Petrosky,	Wood,
Filo,	Limper,	Polaski,	Worley,
Fineman,	Lippincott,	Polen,	Yatron,
Flynn,	Lopresti,	Prendergast,	Yetter,
Foerster,	Luigard,	Price,	Zimmerman,
Fox,	Lutty,	Pursley,	Andrews,

Speaker

## NAYS—1

Auker,

## NOT VOTING—47

Agnew,	Goodrich,	Magee,	Stone,
Ashton,	Gramlich,	Merry,	Sullivan,
Blair,	Guthrie,	Moran,	Thompson,
Boles,	Hamilton,	Murray, P. G.,	Trusio,
Bowman,	Johnson, A. W.,	Musto,	Ujohal,
Brown,	Jump,	O'Dell,	Walsh,
Cloffi,	Knecht,	Rigby,	Wescott,
Cooper,	Kornick,	Royer,	Wheeler,
Ellberg,	Kovolenko,	Schuster,	Willaredt,
Floyd,	Light,	Snare,	Wilt,
Gelfand,	McCormack,	Stevens,	Wynd,
Gibb,	McLaughlin,	Stewart,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,

House Bill No. 2090, Printer's No. 118 and House Bill No. 2120, Printer's No. 1400 were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel restaurant and club liquor licenses.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 403), page 4, line 3, by inserting after "the" where it appears the second time: "completed."

Amend Sec. 1 (Sec. 403), page 4, line 4, by inserting after "the" where it appears the second time: "completed."

Amend Sec. 1 (Sec. 403), page 4, line 6, by inserting after "issuance": "or transfer."

Amend Sec. 1 (Sec. 403), page 4, line 6, by inserting after "license": "nor shall any such license be transferable the time of issuance or transfer of the license and the approval of the completed alterations or construction by the board except with the approval of the board for good cause shown. The board may require that all such alterations or construction be completed within six months from the time of issuance or transfer of the license."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 373 on page 19 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 373, entitled:

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control and providing penalties for the violation of this act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GAILEY. Mr. Speaker, this bill which has been called up today is the so-called movie censor bill. This bill has been written about at great length in the newspapers and by various distinguished commentators on constitutional law.

There is a great doubt among lawyers whether or not this bill in its present form is constitutional. I have studied the bill carefully. I am convinced beyond any reasonable doubt that this bill in its present form is unconstitutional and as such I must feel compelled to vote against it.

I think there is no question that we have a problem here in Pennsylvania, far-sweeping in its scope, since the people in our Commonwealth and particularly our younger people are being flooded with obscene and lewd material. I think it is a serious problem. I think it is a problem that this House must consider in this Session, but I submit to the House that this bill which we have before us does not solve the problem, and that, coupled with the fact most especially, I am convinced, as I said, beyond any doubt that the bill in its present form is not constitutional, compels me to vote against this bill.

Mrs. MARKLEY. Mr. Speaker, I wonder whether the Majority Leader would permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mrs. MARKLEY. Mr. Speaker, would the gentleman tell me, if this bill becomes a law, would an industrial concern that wants to show an industrial film to a limited audience in a public theater have to register with the Censor Board?

Mr. McCANN. The answer would be emphatically no.

Mr. STEWART. Mr. Speaker, I only want to make this comment, that everyone in this Commonwealth, everyone in this country, knows what is obscene but the Supreme Court.

I can only say that, as a lawyer, I disagree with Mr. Gailey. I think the bill is constitutional. I think it meets any constitutional objection and I only suggest, although he criticised this bill he has offered no suggestions to correct this problem.

Since everyone does know what is obscene, I think it is high time the Supreme Court listens to the people for just once.

Mr. WILLARD. I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. WILLARD. For my own satisfaction and for clarification of the record, is the gentleman familiar with the fact that in our Commonwealth today we have a number of persons who are engaged in the lending, or leasing, of audio-visual educational films and so forth to our schools today?

Mr. McCANN. I certainly am aware that we have centers, organizations and places in which such films may be rented even for the use of the schools.

Mr. WILLARD. Is it the purpose of this act to have firms comply with provisions of the act?

Mr. McCANN. It is not. Nowhere can you show me in Senate Bill 373 that they would have to comply with such an act.

Mr. WILLARD. In looking it over, I could not find to the contrary and I just wanted this as a matter of record. That would also answer the following question I had.

Later on in the bill there are provisions for different charitable organizations, hospitals and so on and so forth, but the one term "Service Clubs" has been eliminated. Does that also cover service clubs?

Mr. McCANN. Mr. Speaker, it does.

Mr. WILLARD. I thank the gentleman.

Mr. McCANN. Mr. Speaker, for the purpose of the record, Senate Bill 373 is a motion picture control law, not a censorship law.

I bring to your attention that Professor William B. Ball, a professor of constitutional law at Villanova University, and considered by most people in this field in the Commonwealth of Pennsylvania as knowing something about constitutional law, places in the record that in his opinion this bill is constitutional. And I think that I as a layman, will rest my case with Dr. Ball.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—163

Anderson,	Frank,	McCann,	Renwick,
Arlene,	Frascella,	McDonald,	Riley,
Auker,	Fulmer,	McInroy,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcell,
Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein,	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Isaacs,	Munley,	Stimmel,
Clarke,	Irviss,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Keiser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weldner,
Dougherty,	Kooker,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Willard,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, A. D., Jr.,
Ewing,	Lee, K. B.,	Petrosky,	Williams, E. S.,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Lippincott,	Polen,	Worley,
Filo,	Limper,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flynn,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker

## NAYS—1

Galley,

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujohal,
Cloff,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Ellberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2296 on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) by increasing the rate of compensation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CAPANO. With the consent of the House, I would like to discuss both bills, House Bills No. 2296 and 2297 which are companion bills.

The SPEAKER. The gentleman may so do.

Mr. CAPANO. House Bill 2296 is the occupational disease act which deals with disability resulting from occupational disease, and Bill No. 2297 is the Workmen's Compensation bill which deals with disability resulting from injuries.

Mainly, the proposed amendments in these two bills to the Act of 1955 provides for modest improvements in the benefit structure to keep pace with the increases in the basic cost of living. With the rapid rise in the cost of living since 1955, claimants unemployed due to industry-incurred disability are receiving less benefits in relation to their normal full time weekly earnings. Particularly hard hit are widows and children of employes who are killed in industrial employment. In some instances these people would receive more benefits being on relief.

To correct these injustices these bills are presented for your consideration and we request the support of the House. I intend to discuss briefly the features which are being changed in these two proposed bills.

Mainly, of course, the benefits are being increased from \$37.50 maximum to \$42.50, and the minimum is being increased from \$15.00 to \$17.50. A partial disability is being increased from \$27.50 to \$32.50. The entire schedule is being revised, and increases are being put into effect ranging from \$2.00 to \$5.00 in the benefit payments to widows and their children.

One of the new features in this bill is removing the limitations on surgical-medical services and making that unlimited, as compared to the present act which only makes provision for six months and further benefits by applying to the board.

Those are the main features which are being changed. There are some other procedural changes, all of which I believe are beneficial and will make better provisions for those who are unfortunately disabled. I request support of the entire House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcell,
Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein,	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irviss,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Keiser,	O'Donnell, J. P.	Wall,

Donahue, Donaldson, Dougherty, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Fox, Frank,	Kernaghan, Kessler, Kooker, Korns, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Odoriso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach,	Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Wood, Worley, Yetter, Yatron, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—44

Agnew, Ashton, Blair, Boles, Bowman, Brown, Cioffi, Cooper, Ellberg, Floyd, Gibb,	Goodrich, Gramlich, Guthrie, Hamilton, Johnson, A. W., Jump, Knecht, Kornick, Kovolenko, Light, McCormack,	McLaughlin, Magee, Merry, Moran, Murray, P. G., Musto, O'Dell, Rigby, Royer, Schauster, Snare,	Stevens, Stone, Sullivan, Thompson, Trusio, Ujobai, Walsh, Wheeler, Willaredt, Wilt, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered; That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson, Arlene, Auker, Balthaser, Barton, Bell, Bonner, Boris, Bower, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin,	Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvls, Isaacs, Jenkins, Jim, Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee,	McCandless, McCann, McDonald, McInroy, McKeever, Machmer, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Naugle, Needham, Nelson, O'Donnell, J. A.,	Reidenbach, Renwick, Riley, Rovanssek, Rudisill, Sakulsky, Scarcelli, Schaaf, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stoner, Strausser, Stroup, Taylor, Tompkins, Varallo, Varnier, Verona,
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Donahue, Donaldson, Dougherty, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Flynn, Foerster, Fox,	Keiser, Kernaghan, Kessler, Kooker, Korns, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty,	O'Donnell, J. P., Odoriso, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman,	Wall, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Wilt, Wood, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—44

Agnew, Ashton, Blair, Boles, Bowman, Brown, Cioffi, Cooper, Ellberg, Floyd, Gibb,	Goodrich, Gramlich, Guthrie, Hamilton, Johnson, A. W., Jump, Knecht, Kornick, Kovolenko, Light, McCormack,	McLaughlin, Magee, Merry, Moran, Murray, P. G., Musto, O'Dell, Rigby, Royer, Schauster, Snare,	Stevens, Stone, Sullivan, Thompson, Trusio, Ujobai, Walsh, Wheeler, Willard, Willaredt, Wynd,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2232 on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2232, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views prohibiting the exhibition of those found to be obscene and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate either the sponsor of the bill or the Majority Leader with reference to 2232 and 2233.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dougherty, permit himself to be interrogated?

Mr. DOUGHERTY. I shall Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, does the gentleman know whether the Governor is expected to sign Senate Bill 373?

Mr. DOUGHERTY. I could not answer that. I do not know.

Mr. LIPPINCOTT. Will the gentleman explain to me what the difference is between these two bills, that is, House Bill 2232 and House Bill 2233 and Senate Bill 373, which we have just passed?

Mr. DOUGHERTY. Well, the provisions in 2232 provide for a two-year sentence or \$2,000 fine for showing obscene pictures to minors, that is, under seventeen years of age.

Mr. LIPPINCOTT. Then in that respect is it not correct that Senate Bill 373 also provides that the fine is different?



Mr. DOUGHERTY. That is right.

Mr. LIPPINCOTT. Now, Mr. Speaker, in effect is it not true that these two House bills enable the local district attorney in each county to determine whether or not a movie is obscene, whereas in Senate Bill 373 a different method for determining obscenity is set up, namely, the state council of or state board of motion pictures controls?

Mr. DOUGHERTY. I do not see the difference, if a person wants clean movies whether we have a censor board or a district attorney, I feel that these two bills put teeth into it. I consider these two bills a stronger method than 373.

Mr. LIPPINCOTT. Well, now I would like to ask you this, is it not correct that the definition of obscenity in one bill, Senate Bill 373, is different from that in these two House bills?

Mr. DOUGHERTY. It is a different type of bill.

Mr. LIPPINCOTT. Is it not correct also that Senate Bill 373, contradicts in many respects the provisions in these two House bills?

Mr. DOUGHERTY. I would not be particularly interested in that. In fighting for clean movies for our children, I believe in supporting these two bills.

Mr. LIPPINCOTT. Well, now Mr. Speaker, I think we all agree with that and the vote indicates that we all are in favor of clean movies, but I am asking you if it is not correct that there are many contradictions between these two House bills and Senate Bill 373?

Mr. DOUGHERTY. I think these bills are stronger, if that is what you mean.

Mr. LIPPINCOTT. All right. Now is the gentleman aware of the fact that these two House bills, if later passed by the Senate and approved by the Governor, would thereby repeal 373 which we just passed?

Mr. DOUGHERTY. I do not think so.

Mr. LIPPINCOTT. I call the gentleman's attention that on page 5 of House Bill 2232. It states that all other acts and parts of acts are repealed insofar as they are inconsistent herewith. Now, is it not correct that this would thereby repeal 373, if these bills are later adopted insofar as they are inconsistent?

Mr. DOUGHERTY. Well, not being an attorney, I do not know, but I feel that these bills are more important.

Mr. LIPPINCOTT. Well, I will be happy to have the gentleman yield to one of the many able attorneys on his side if he wants to get an answer to that question.

Mr. DOUGHERTY. I would leave the Governor choose between them.

Mr. LIPPINCOTT. I thank the gentleman, Mr. Speaker.

It seems to me that here we go again. We spent about a month working on constitutional amendments that are contradictory and inconsistent and we finally in some respects got that matter straightened out, but here we have two bills before us which by their very language will repeal any inconsistency in the bill.

I think Senate Bill 373, which we have just passed, is inconsistent in many respects with these bills. For example, the definition of obscenity is different in the House bills and there is a different fine; there is an entirely different method of enforcing the bills, one by the district attorney and one by the state board of movie control. In addition, these two House bills which we are now considering expressly state that they repeal the old board of censors'

bill and I think thereby imply repeal of Senate Bill 373 which is almost similar to the old bill. I think we should decide what we want once and for all and get it done. I say these bills, if we vote on them, will repeal Senate Bill 373 and therefore it is rather stupid. It is just not good management, the way we are voting on bills that are completely inconsistent with each other.

Mr. SCHWARTZ. Mr. Speaker, I think Mr. Dougherty of Philadelphia answered the inquiry pretty well. I see nothing wrong with passing a House bill and passing a Senate bill which are similar and then letting the Governor decide, if both of these bills get to his desk, which of the two he would rather sign. I am very happy that the gentleman brought to the attention of the House the fact that these bills are different in certain aspects and certain respects; that was the intention.

This is a very controversial issue. It has been acted upon by the courts. One word in either of these bills might make a bill constitutional or unconstitutional. I do not think we are doing anything stupid or silly if we pass these bills. These are not Senate bills, they are House bills, and there is absolutely nothing in this bill which would repeal Senate Bill 373, which has not even been passed here yet. It has not been signed by the Governor yet. How can this bill possibly repeal something that has not been enacted into law?

Mr. AUKER. Mr. Speaker, I intend to support the bill, as I will any bill of this character that will try to help this very, very serious problem not only in our own state but in every community practically throughout the United States.

The SPEAKER. For what purpose does the gentleman from Philadelphia rise?

Mr. SCHWARTZ. Mr. Speaker, some people like to listen to Mr. Auker and I am one of them, but we cannot hear the gentleman. I suggest the Speaker inform the gentleman to stand a little closer to the microphone.

Mr. AUKER. At least, Mr. Speaker, I have one for me in the House and one agin' me, so I know about where I stand.

The SPEAKER. I would say to the gentleman that another microphone reaches the House better than those microphones in the aisle. So I think the gentleman would be privileged, any time he so desires, to use the other microphone. It is difficult for the Speaker to hear the gentleman from Blair when he speaks from that microphone.

Mr. AUKER. Does the Speaker want to hear me?

The SPEAKER. The Chair does.

Mr. AUKER. OK Mr. Speaker, Members of the House, as I said before, I intend to support these bills as I have all bills of this character that may help in some way to help this very serious problem that we have confronting us in practically every community throughout the state.

I worked with the lady from Northampton County, Mrs. Reibman in 1955 on a bill of this character, and we worked hard on it. But I want to just make this observation and I think it should be taken back to every civic organization, every PTA organization, every community organization, that any law of this type, any bill of this type, is only as strong as the people in the community back in the home communities will back it up. I think one of the most serious things we are facing in this kind of a



problem is that the people themselves will not take issue with this big problem and try to help solve it.

There is no question in my mind whatsoever that there are plenty of laws, the common law even today, if we would have the proper law enforcement, if we would have the district attorneys in the various counties doing their job, and if we would have the people who make up those communities insist upon those people doing those jobs and keep constant pressure upon these people who are trying to sell this kind of literature and press it out, and bring them before the courts time and time again, I am sure it would soon stop much quicker than the people saying to us, well, pass a law and then the issue is going to be solved. That is not going to solve it. Passing these bills may be some help, just some help, but it certainly is not going to solve it unless the people themselves, the good thinking people of this state, get their shoulders behind this wheel and see that the laws are properly enforced and see that the proper law enforcement officials do the job that they ought to be doing, and which I think, frankly, they have not been doing under the laws that have been on the books of this Commonwealth for years in regard to this type of a problem. I only want to make that as a passing observation, and I hope that in some way a real educational program can be put forth throughout this state to the parents of these children that the job is just as much theirs, and more theirs, than it is ours down here, and it is time they got on the job as well as us.

Mr. GAILEY. Mr. Speaker, Members of the House, I think it most important that we pass this legislation which is now before us. I think the defects, in my opinion and in the opinion of others that I have talked to, that makes Senate Bill 373 faintly defective from the standpoint of our Constitution are not present in these bills.

I hope the House realizes that if 373 is stricken down by the courts—and you may rest assured that there will be a Constitutional test of this act, at the first opportunity—then once again this Commonwealth is without effective regulation on its books to take care of this serious problem.

I think these bills presented by Mr. Dougherty, that we are now considering, will take care of that problem adequately. I think it is necessary to get them on our statute books in order that in the absence of effective controls of material of this sort that we do have something that our law enforcement agencies can use to take care of the problem.

Mrs. B. Z. MILLER. Mr. Speaker, I hesitate to take up your time, but I feel that Mr. Gailey is wrong. We have the district attorney of Philadelphia, who the lawyers in Philadelphia know has been trying very hard to get improper pictures off the screens, and it has been referred to the Supreme Court in Pennsylvania and the pictures are back the next day. I sat in on any number of them. The district attorney does not have that power and is not able to enforce it, so we do need a motion picture censor board if we can get one, and let us try.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovansk,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcelli,
Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein,	Maxwell,	Schwartz,
Branca,	Heavey,	Meholchick,	Seltzer,
Brenninger,	Heffner,	Mihm,	Sherman,
Breth,	Helm,	Miller, B. Z.,	Shupnik,
Bower,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irvia,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kelser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odoriso,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Kooker,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, P. E.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Perry, H. H.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Limper,	Polen,	Worley,
Filo,	Lippincott,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flyan,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cloffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Eilberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2233, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views prohibiting the exhibition of those found to be obscene providing special proceedings and fixing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovanske,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcelli,
Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein	Maxwell,	Schwartz,
Bower,	Heavey,	Mehoichick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irlis,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennisson,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Keiser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odorliso,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Kooker,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Limper,	Polen,	Worley,
Filo,	Lippincott,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flynn,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cioffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Eilberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2292, entitled:

An Act requiring the marking of highways and intersections in the State Highway system and imposing duties on the Department of Highways.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, in respect to this bill I had Mr. Heavey come over and talk to me yesterday about it. It is a very short bill, and I suggested to him he ought to put some amendments in the bill. He did not

know whether he would or not, and I did not have them drawn, but I do not see how it is workable. I do not know where in the name of sense you would get all the moneys to do what this bill says the Highway Department has to do.

The first part of the bill is very good, in my opinion. The Department of Highways shall apply and thereafter maintain and repaint along the edges of all three and four-lane highways without curbs—that part of it is all right—with luminous material, paint.

But then the bill goes on to say, “and along the curbs at all intersections on highways in the State highway system.” Yesterday we passed bills here to put a lot of streets in Allegheny County and in the city on the highway system. We passed a bill here to put the Philadelphia streets on. In my own city here, Harrisburg, Front Street is a main highway, part of the highway system, and I just do not know where or how you would ever get enough help to paint all of the intersections in these towns. I see no need for it in a place like Front Street in Harrisburg where every street corner has a light on it. Now in an area where there were no lights, probably I would go along with it, but for you to say that the Highway Department shall paint all the curbs at all the intersections of all the highways in this Commonwealth—it is nice to think about—but I have not the slightest idea where you would get the money to do it. It is too big a job.

Mr. BELL. Mr. Speaker, speaking very briefly in favor of the bill as it is presently written, you know when one drives the highways, and I am assuming that the majority of the Members of this House have good eyes, very good eyes, perhaps they can see the curbs as well as the edges. But we also have in the Commonwealth some of our citizens who perhaps do not have the advantage of having very keen eyesight. Their eyes are still adequate to drive. When some of us get a little older, perhaps, we will be very happy to see not only the edge of the road outlined in white but these curbs, and that is the purpose of the bill—to prevent traffic accidents.

Holding out to the traveling public by white paint traps showing the nature of these curbs, or traps showing, the nature of the edge of the road to those of our older citizens without wonderful eyesight or to those others without wonderful eyesight, that is the purpose of this bill.

The purpose of this bill is to prevent traffic accidents.

Mr. HEAVEY. Mr. Speaker, the main purpose of this bill was to put this line on the shoulders of the road. There are an awful lot of accidents happening on the shoulders of the road, people getting killed and injured and damage to property. It has been very successful on the Turnpike.

As far as the intersections are concerned, my main purpose on that was that when you are driving along the road and you want to pick out a side road, say it is dark and the intersection curb is not marked, if it would be marked you could very easily pick out your road and drive off of that main road into that side road.

As far as the cost of marking the intersections, that is a common practice. It is being done every day. No matter where you go, you see the intersection curbs marked.



On the question recurring,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—148

Anderson,	Frascella,	McDonald,	Reibman,
Arlene,	Fulmer,	McInroy,	Reidenbach,
Auker,	Galley,	McKeever,	Renwick,
Balthaser,	Gallagher,	Machmer,	Riley,
Bell,	Garlock,	Mahan,	Rovansek,
Bonner,	Gelfand,	Markley,	Rudisill,
Boris,	George,	Maxwell,	Sakulsky,
Bower,	Goldstein,	Meholchick,	Scarcelli,
Branca,	Heavey,	Mihm,	Schaaf,
Brenninger,	Heffner,	Miller, B. Z.,	Schwartz,
Breth,	Henzel,	Miller, H. G.,	Sherman,
Buchanan,	Holliday,	Mills,	Shupnik,
Burns,	Holt,	Monroe,	Silverman,
Capano,	Horst,	Muldowney,	Snider,
Capitolo,	Irvins,	Mullen,	Stank,
Cianfrani,	Isaacs,	Munley,	Steckel,
Clarke,	Jenkins,	Murphy, A. J., Jr.	Stewart,
Comer,	Jim,	Murphy, P. J.,	Stimmel,
Crossin,	Johnson, R.,	Murray, H. P.,	Taylor,
Curwood,	Jones, F. R.,	Murray, J. J.,	Varallo,
Davis,	Jones, T. H. W.,	Naugle,	Varner,
Dengler,	Kamyk,	Needham,	Verona,
Dennis,	Kee,	Nelson,	Wargo,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Weldner,
Devlin,	Kessler,	O'Donnell, J. P.	Welsh,
Donahue,	Kooker,	Odoristo,	Wescott,
Donaldson,	Korns,	Ogilvie,	Whittaker,
Dougherty,	Lamb,	O'Neil,	Williams, A. D., Jr.
Down,	Lee, A. M.,	Parlante,	Williams, E. S.,
Edwards,	Lee, K. B.,	Pashley,	Willard,
Eshback,	Leonard,	Perry, H. H.,	Wood,
Eshleman,	Limper,	Perry, P. E.,	Worley,
Farabaugh,	Lippincott,	Petrosky,	Yatron,
Filo,	Lopresti,	Polaski,	Yetter,
Fineman,	Luigard,	Polen,	Zimmerman,
Flynn,	Lutty,	Prendergast,	Andrews,
Foerster,	McCann,	Pursley,	Speaker
Frank,			

## NAYS—16

Barton,	Helm,	McCandless,	Strausser,
Ewing,	Hocker,	Price,	Stroup,
Fetterolf,	Kelser,	Seltzer,	Tompkins,
Fox,	Kubitsky,	Stoner,	Wall,

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujosal,
Cioffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Ellberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 2338 on page 17 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain

exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employes under Shipping Articles."

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, lines 3 to 5, by striking out "subsec-" in line 3, all of line 4, and "30 1955 (P. L. 6) subsection (w)" in line 5, and inserting: "subsections (u) and (w), and clause (1) of subsection (x)."

Amend Sec. 1 (Sec. 4), page 6, by inserting between lines 12 and 13:

(x) "Wages" means all remuneration, (including the cash value of mediums of payment other than cash), paid by an employer to an individual with respect to his employment except that the term "wages" shall not include:

(1) That part of the remuneration which is in excess of the first [three thousand dollars (\$3000)] three thousand and six hundred dollars (\$3600) paid to an individual by each of his employers during a calendar year: Provided, That an employer may take credit under this subsection for remuneration which his predecessor-in-interest has paid to an individual during the same calendar year with respect to employment; and provided also, That an employer may take credit under this subsection for remuneration which he or his predecessor-in-interest has paid to an individual in the same calendar year on which contributions have been required and paid by such employer under an unemployment compensation law of another state, but no such credit may be taken for remuneration which has been paid by another employer to such individual, whether or not contributions have been paid thereon by such other employer under this act or under any state unemployment compensation law.

Remuneration paid by an employer in excess of the amount on which contributions are required to be paid may not be considered in determining the compensation rights of an individual under this act. Remuneration paid by an employer on which contributions are required to be paid shall be considered in determining the compensation rights of an individual and for such purpose may be allocated in accordance with rules and regulations of the department to any calendar quarter in which the individual earned remuneration from such employer; Provided, That the sum of the allocation and the earnings reported with respect to any calendar quarter shall not exceed the remuneration paid for such quarter.

Amend Sec. 3 (Sec. 301.1), page 20, line 13, by striking out "four" and inserting: "three and three-tenths."

Amend Sec. 3 (Sec. 301.1), page 23, line 16, by striking out "three per centum nor less than five-tenths of" and inserting: "two and five-tenths per centum nor less than."

Amend Sec. 3 (Sec. 301.1), page 24, line 4, by striking out "three" and inserting: "two and five-tenths."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. GAILEY. Mr. Speaker, I would be very happy to have the Clerk read the amendments at length, but I think perhaps I had better explain them because they will be more easily comprehensible to the membership if I do.

The amendment which I offer would increase the tax base from the first \$3,000 of taxable wages to the first \$3,600. However, at the same time it would reduce the maximum rate from four percent down to 3.3 percent, while increasing the minimum rate from 1.6 to 2.1 percent.



House Bill 2338 has been drawn for the purpose of not only providing improved benefits for Pennsylvanians unemployed in keeping with the demands of these times, but what is equally important, creating a basis upon which the fund would become and remain sound and solvent. The Members of this House must be fully aware of the many changes that have taken place since the fund was first established in 1937. The standard of living in the past 22 years has risen tremendously, as has the cost of living, and in order to meet the demands of these changing times the Legislature has, in its wisdom, increased benefits throughout the years as well as the duration of the benefits, because it was felt to be a realistic and socially necessary action. When the plan was established back in 1937, the tax base back then consisted of the first \$3,000 of wages, and the employers' contribution rate was 2.7 percent and uniform for all employers. During that same period of time, from 1937 to date, old age survivors and disability insurance programs found it necessary not only to double the contribution rate, but also increase the tax base from the first \$3,000 in wages earned to the first \$4,800 in wages, the present level.

The bill that is before us does not increase the tax base beyond the original of \$3,000, but it does increase the contribution rate to a maximum of 4 percent with a minimum of 1.6 percent. In effect, I think, the average rate would be less than 3 percent and very likely not in excess of the original uniform 2.7 percent. I say to you, this does not permit for a sound system. If one were to apply the value of the 1959 dollar to the 1937 dollar it could be said that in such terms the tax base of 1937 was actually \$6,000, if not more, or, controversially, if you were to translate the 1959 dollar into 1937 values, the tax base of \$3,000, which was used then and is still used now, would be more like the rest \$1,500 of wages.

I think it is clear that if we are to keep pace with the changes in times and conditions, the present tax base must be increased. I must say that I was surprised and disappointed that this bill has been drawn without increasing this tax base. Authorities throughout the country have long argued that it is necessary to increase this tax base to at least \$3,600 and preferably to \$4,200.

The Federal Advisory Council of the Bureau of Employment Security of the United States Department of Labor on whom, I think, were some of the labor leaders from Pennsylvania, voted overwhelmingly to recommend that the tax base be increased to \$3,600. At least five important states have already done that and I think the Members are familiar with that from the material which the Department has supplied them. I think the lessons of such experience and recommendations elsewhere should not be lightly brushed aside by us here.

What has happened to the rate in House Bill 2238? Although it has been proposed that the rate be increased to a maximum of four percent with a minimum of 1.6 percent we are virtually doing nothing more than creating an average which scarcely exceeds the original rate of 2.7 percent first enacted in 1937.

But there is one important difference. The basic principles and philosophies of social insurance has been abandoned in favor of the narrow and regressive standards which are characteristic of commercial insurance. Social insurance, and Unemployment Compensation Insurance is exactly that, is based upon the principle of

spreading the total risk over the entire community. I am not advocating that we abandon our commitment to "experience rating," but social insurance cannot be likened to accident insurance where a good safety record earns for the individual or the employer a lower premium rate. There must be other ways of achieving an average 2.7 or 2.8 contribution rate without conferring the privileges of such low rates of 1.6 percent upon that group of employers who, because of their fortunate economic circumstances, suffer little or no unemployment and therefore, if you think about it, actually are best able to pay a higher rate.

We are not creating a healthy climate for industry by penalizing unlucky industries, who, because of the national economic climate or seasonal influences suffer greater incidents of unemployment and therefore are required to pay up to 4 percent. In other words, those very industries that have marginal existence, but upon which a great many of our people here in the Commonwealth are dependent for a living, those very industries that are most in need of tax aid from the Commonwealth and relief from taxation are forced to pay the very highest rates under this plan.

Now this amendment which I have offered would, while it increases the tax base to \$3,600, narrow the span between the bottom and top rates from 2.1 to a maximum of 3.3. I think this introduces a much more equitable range of rates into the merit rating system. I do not want to drive employers from Pennsylvania who are unfortunate in having a greater unemployment problem and at the same time enjoy a punitive contribution rate.

I do believe that the schedule of rates embodied in this amendment as they will be applied to a \$3,600 base will produce approximately the same revenue as can be expected from the provisions of House Bill 2338 in its original form.

I ask that you vote for this amendment because, while it retains the elements and features of the merit rating plan with a range from 2.1 to 3.3 it reduces what is, to my mind, the unwise and unjust range of almost 2½ percent between the top and the bottom rates which present House Bill 2338 provides.

And finally, and I think this is important also, it will reduce the desire on the part of employers to continuously challenge the eligibility of claimants in order to retain a more favorable rate, and I think we all know that this has been very common practice prior to the recession. I say to you that should the merit plan with its very wide scope as it is presently encompassed in House Bill 2338, if that goes into effect, once again we will find employers continuously challenging the eligibility of their claimants in order to produce a more favorable rate for themselves.

I think these amendments help this bill. I think they go a long way toward solving the problems of the unemployment compensation problem that we have here in Pennsylvania. I ask all the Members on both sides to support these amendments.

Mr. McCANN. Mr. Speaker, the amendments offered by the gentleman from York, Mr. Gailey, would do almost exactly what the gentleman has stated in his very precise and very carefully worded statement except not give quite the assurance that it would help in the end to make the fund the goal that we are seeking.



I rise to oppose the amendments offered by the gentleman from York, Mr. Gailey, because the base as indicated in House Bill 2338 as it now exists was agreed to by, basically, the members of industry, the public members of the committee and a large segment of members representing labor. So, the difference in that feature is not the difference upon which labor, industry and public members all differed, but a section of the laboring group did oppose the base as outlined at \$3,000 which now exists in law.

This bill will be debated as to the contents and merits of the bill, and I would like to stay just on the amendments and request that the Members opposed the amendments offered by the gentleman from York, Mr. Gailey, and then, following the debate, support the passage of the bill.

Mr. GAILEY. Mr. Speaker, at the risk of feeling very lonely again, I am not going to ask for a roll call on these amendments but would ask for a division.

Mr. FINEMAN. Mr. Speaker, I would like to make briefly this observation about Mr. Gailey's amendments.

It seems to me that they would be, in effect, a boom or a premium to those employers who paid the best wages for this reason, an employer paying \$50 a week to an employee on a job classification, would pay that employee a total of \$3,000 a year. He would pay to the minimum rate according to the scale set up by Mr. Gailey. On the other hand, the second employer who pays \$70 a week to another employee for that same job, or a total of \$3,500 a year, would be paying at the same minimum rate, or \$3,600 as distinguished from \$3,000. To my way of thinking, that constitutes a premium to a depressed employer to pay these wages. For this reason, I also ask these amendments be voted down.

Mr. GAILEY. Mr. Speaker, In reply to Mr. Fineman's observation, I would only point out that the same thing is true with regard to a base of \$3,000. If an employer pays at a rate of \$50 a week, then he would only pay of \$2,500 a year, as one who pays on the basis of \$60 a week pays on the basis of \$3,000. I think it cuts both ways.

However, I would like to add this other argument in regard to the amount of wages on which the rate is based. We presently have many industries in Pennsylvania that pay their employees on a seasonal basis or who employ them only part time. Many of these industries are able by virtue of hiring their employees only for a period of the year, to avoid the payment of the higher rate which would accrue to them if they paid on a full time basis. It is not fair that these industries should be penalized in this manner. I think this is a more equitable way of handling this matter of employers' contribution and once again reiterate my pleas for support to these amendments.

On the question recurring,

Will the House agree to the amendments?

A division was called for, less than a majority of the Members having voted in the affirmative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CAPANO. Mr. Speaker, the detail copy of the changes which are proposed in House Bill 2338 has been placed on the desk of each of the Members. Also contained in that same statement is a graphic picture of the changes. Therefore, I do not think it is going to be necessary to go into detail to explain the various features. However, permit me to read the first paragraph of this statement and with that I will close my remarks.

Proposed amendments to the Unemployment Compensation Law fall into three general categories: (1) benefit improvements in the law; (2) clarifying and corrective amendments; (3) taxing measures. To a large degree, the amendments follow recommendations considered by the Governor's Committee on Unemployment Compensation and represent a combination of amendments which call for modest improvements in the benefit structure; a tightening of eligibility requirements for certain groups of claimants, and taxing provisions which will provide the necessary income to pay the current costs of benefit payments and at the same time rebuild the Unemployment Compensation Fund.

This bill is social insurance against economic depressions. The pumping of \$350 million into our economy during 1958 averted a depression of the severity of the 1929 depression, and I am appealing to all the Members of this House to vote in favor of this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—149

Anderson,	Fulmer,	McKeever,	Reidenbach,
Arlene,	Gailey,	Machmer,	Renwick,
Auker,	Gallagher,	Mahan,	Riley,
Balthaser,	Garlock,	Markley,	Rovanssek,
Barton,	Gelfand,	Maxwell,	Rudisill,
Bell,	George,	Meholchick,	Sakulsky,
Bonner,	Goldstein,	Mihm,	Scarcelli,
Boris,	Heavey,	Miller, B. Z.,	Schaaf,
Bower,	Hefner,	Miller, H. G.,	Schwartz,
Branca,	Helm,	Mills,	Seltzer,
Breth,	Hocker,	Monroe,	Sherman,
Buchanan,	Holliday,	Muldowney,	Shupnik,
Burns,	Holt,	Mullen,	Silverman,
Capano,	Irlis,	Munley,	Snider,
Capitolo,	Isaacs,	Murphy, A. J., Jr.	Stank,
Cianfrani,	Jenkins,	Murphy, P. J.,	Steckel,
Clarke,	Jim,	Murray, H. P.,	Stewart,
Comer,	Jones, F. R.,	Murray, J. J.,	Stimmel,
Crossin,	Kamyk,	Naugle,	Stoner,
Curwood,	Kee,	Needham,	Stroup,
Davis,	Kelser,	Nelson,	Taylor,
Dengler,	Kernaghan,	O'Donnell, J. A.,	Varallo,
Dennis,	Kessler,	O'Donnell, J. P.	Varner,
Dennison,	Korns,	Odorisio,	Verona,
Devlin,	Kubitsky,	Ogilvie,	Wall,
Donahue,	Lamb,	O'Neil,	Wargo,
Donaldson,	Lee, A. M.,	Parlante,	Welsh,
Dougherty,	Lee, K. B.,	Pashley,	Wescott,
Edwards,	Leonard,	Perry, H. H.,	Whittaker,
Eshback,	Limper,	Perry, P. E.,	Williams, A.D., Jr.,
Farabaugh,	Lippincott,	Petrosky,	Williams, E. S.,
Filo,	Lopresti,	Polaski,	Worley,
Fineman,	Luigard,	Polen,	Yatron,
Flynn,	Lutty,	Prendergast,	Yetter,
Foerster,	McCandless,	Price,	Zimmerman,
Fox,	McCann,	Pursley,	Andrews,
Frank,	McDonald,	Reibman,	Speaker
Frascella,	McInroy,		

#### NAYS—15

Brenninger,	Fetterolf,	Jones, T. H. W.,	Weldner,
Down,	Henzel,	Kooker,	Willard,
Eshleman,	Horst,	Stausser,	Wood,
Ewing,	Johnson, R.,	Tompkins,	



## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cioffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Ellberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2335, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon resignation as a director.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcelli,
Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein,	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irviss,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kelser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odoriso,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Kooker,	O'Neill,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A.D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Limper,	Polen,	Worley,
Filo,	Lippincott,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flynn,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cioffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Ellberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey to the Somerset County Development Council 184.13 acres more or less in three tracts of land situate in Somerset Township Somerset County for development and improvement for use as industrial and commercial sites with reversion after ten years of unused or unimproved areas.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcelli,
Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein,	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irviss,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Kelser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odoriso,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weidner,
Dougherty,	Kooker,	O'Neill,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A.D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Limper,	Polen,	Worley,
Filo,	Lippincott,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flynn,	Luigard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cloffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Ellberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2321, entitled:

An Act authorizing the Dept. of Property and Supplies with the approval of the Secretary of Public Welfare and the Governor to convey 153.91 acres of land in Bensalem Township Bucks County and 13.34 acres of land in Somerset Township Somerset County in exchange for two tracts containing 109.87 acres of land situate in Somerset Township Somerset County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—162

Anderson,	Frank,	McCann,	Renwick,
Arlene,	Frascella,	McDonald,	Riley,
Auker,	Fulmer,	McInroy,	Rovansek,
Balthaser,	Galley,	McKeever,	Rudisill,
Barton,	Gallagher,	Machmer,	Sakulsky,
Bell,	Garlock,	Mahan,	Scarcelli,
Bonner,	Gelfand,	Markley,	Schaaf,
Boris,	George,	Maxwell,	Schwartz,
Bower,	Goldstein,	Meholchick,	Seltzer,
Branca,	Heavey,	Mihm,	Sherman,
Brenninger,	Heffner,	Miller, B. Z.,	Shupnik,
Breth,	Helm,	Miller, H. G.,	Silverman,
Buchanan,	Henzel,	Mills,	Snider,
Burns,	Hocker,	Monroe,	Stank,
Capano,	Holliday,	Muldowney,	Steckel,
Capitolo,	Holt,	Mullen,	Stewart,
Cianfrani,	Horst,	Munley,	Stimmel,
Clarke,	Irlvis,	Murphy, A. J., Jr.,	Stoner,
Comer,	Isaacs,	Murphy, P. J.,	Strausser,
Crossin,	Jenkins,	Murray, H. P.,	Stroup,
Curwood,	Jim,	Murray, J. J.,	Taylor,
Davis,	Johnson, R.,	Naugle,	Tompkins,
Dengler,	Jones, F. E.,	Needham,	Varallo,
Dennis,	Jones, T. H. W.,	Nelson,	Varnier,
Dennison,	Kamyk,	O'Donnell, J. A.,	Verona,
Devlin,	Kee,	O'Donnell, J. P.,	Wall,
Donahue,	Kelser,	O'dorisio,	Wargo,
Donaldson,	Kernaghan,	Ogilvie,	Weidner,
Dougherty,	Kessler,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, E. S.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Willard,
Ewing,	Lee, K. B.,	Petrosky,	Wood,
Farabaugh,	Leonard,	Polaski,	Worley,
Fetterolf,	Limper,	Polen,	Yatron,
Filo,	Lippincott,	Prendergast,	Yetter,
Fineman,	Lopresti,	Price,	Zimmerman,
Flynn,	Luigard,	Pursley,	Andrews,
Foerster,	Lutty,	Reibman,	Speaker
Fox,	McCandless,	Reidenbach,	

## NAYS—2

Kooker, Williams, A. D., Jr.,

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cloffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Ellberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## REASONS FOR VOTE

Mr. A. D. WILLIAMS offered the following reasons for his vote on House Bill No. 2321:

I can not vote for House Bill 2321 on the present state of the record. I fully sympathize with the Representatives and people of Somerset County who as a result of this legislation will receive between 109 and 184 acres of land for use by their County Development Council in its efforts to increase industrial expansion.

However, it is questionable to me whether the taxpayers of Pennsylvania may not be losing rather than gaining. Having been reliably informed by an official of the Turnpike Commission that perhaps 20 to 30 acres of the land being given up by the Commonwealth's Department of Property and Supplies is not being used by the Turnpike Commission and may soon be sold for commercial or industrial use. It seems to me that the \$5,000 per acre value of this prime land in Bensalem Township Bucks County should accrue to the taxpayers of Pennsylvania rather than the holders of Pennsylvania Turnpike Bonds.

Perhaps there is a good reason for permitting this loss to the taxpayers but I have not yet heard it.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 791 on page 19 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 791, entitled:

An Act amending the act of July 3, 1947 (P. L. 1242), entitled "An act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits" authorizing additional appropriations by cities to police and firemen's pension funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcelli,
Bonner,	George,	Markley,	Schaaf,



Boris,	Goldstein	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irvis,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varnier,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Keiser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weldner,
Dougherty,	Kooker,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Limper,	Polen,	Worley,
Filo,	Lippincott,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flynn,	Lulgard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cioffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Eilberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 792, entitled:

An Act reenacting and amending the act of August 17, 1951 (P. L. 1254), entitled "An act fixing the minimum pensions of policemen and firemen in certain cities" taking advantage of amendment to section 11 of Article III of the Constitution and increasing the minimum amount.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—164

Anderson,	Frascella,	McCann,	Renwick,
Arlene,	Fulmer,	McDonald,	Riley,
Auker,	Galley,	McInroy,	Rovansek,
Balthaser,	Gallagher,	McKeever,	Rudisill,
Barton,	Garlock,	Machmer,	Sakulsky,
Bell,	Gelfand,	Mahan,	Scarcelli,

Bonner,	George,	Markley,	Schaaf,
Boris,	Goldstein	Maxwell,	Schwartz,
Bower,	Heavey,	Meholchick,	Seltzer,
Branca,	Heffner,	Mihm,	Sherman,
Brenninger,	Helm,	Miller, B. Z.,	Shupnik,
Breth,	Henzel,	Miller, H. G.,	Silverman,
Buchanan,	Hocker,	Mills,	Snider,
Burns,	Holliday,	Monroe,	Stank,
Capano,	Holt,	Muldowney,	Steckel,
Capitolo,	Horst,	Mullen,	Stewart,
Cianfrani,	Irvis,	Munley,	Stimmel,
Clarke,	Isaacs,	Murphy, A. J., Jr.	Stoner,
Comer,	Jenkins,	Murphy, P. J.,	Strausser,
Crossin,	Jim,	Murray, H. P.,	Stroup,
Curwood,	Johnson, R.,	Murray, J. J.,	Taylor,
Davis,	Jones, F. R.,	Naugle,	Tompkins,
Dengler,	Jones, T. H. W.,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varnier,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Keiser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odorisio,	Wargo,
Donaldson,	Kessler,	Ogilvie,	Weldner,
Dougherty,	Kooker,	O'Neil,	Welsh,
Down,	Korns,	Parlante,	Wescott,
Edwards,	Kubitsky,	Pashley,	Whittaker,
Eshback,	Lamb,	Perry, H. H.,	Williams, A. D., Jr.,
Eshleman,	Lee, A. M.,	Perry, P. E.,	Williams, E. S.,
Ewing,	Lee, K. B.,	Petrosky,	Willard,
Farabaugh,	Leonard,	Polaski,	Wood,
Fetterolf,	Limper,	Polen,	Worley,
Filo,	Lippincott,	Prendergast,	Yatron,
Fineman,	Lopresti,	Price,	Yetter,
Flynn,	Lulgard,	Pursley,	Zimmerman,
Foerster,	Lutty,	Reibman,	Andrews,
Fox,	McCandless,	Reidenbach,	Speaker
Frank,			

## NAYS—0

## NOT VOTING—44

Agnew,	Goodrich,	McLaughlin,	Stevens,
Ashton,	Gramlich,	Magee,	Stone,
Blair,	Guthrie,	Merry,	Sullivan,
Boles,	Hamilton,	Moran,	Thompson,
Bowman,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Brown,	Jump,	Musto,	Ujobal,
Cioffi,	Knecht,	O'Dell,	Walsh,
Cooper,	Kornick,	Rigby,	Wheeler,
Eilberg,	Kovolenko,	Royer,	Willaredt,
Floyd,	Light,	Schuster,	Wilt,
Gibb,	McCormack,	Snare,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1853 on page 13 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1853, entitled:

An Act amending the "Oleomargarine and Butterine Law" approved June 30, 1947 (P. L. 1154), by adding and redefining terms and increasing fees.

On the question,

Will the House agree to the bill on third reading?

Mr. FARABAUGH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, fourth line of Title, by striking out "and redefining."

Amend Title, page 2, fourth line of Title, by inserting after "terms," "providing for markings."

Amend Title, page 2, last line of Title, by striking out "licensing" and inserting: "reports."

Amend Sec. 1, page 2, line 1 by striking out "the title and Sections 1, 2, 4, and" and inserting: "Section."

Amend Sec. 1, page 3, lines 1 and 2 by striking out all of line 1 and "2 and 4 amended and Section 4.2."

Amend Sec. 1, page 3, line 3 by striking out "are" and inserting: "is."

Amend Sec. 1, page 3, lines 4 to 20; page 4, lines 1 to 20; page 5, lines 1 to 11; page 7, lines 6 to 20; page 8, lines 1 to 19; and page 9, lines 1 to 15 by striking out all of said lines.

Amend Sec. 3, page 11, line 12 by striking out "Sections 3, 6 and 11" and inserting: "Section 6."

Amend Sec. 3, page 11, line 13 by striking out "are" and inserting: "is."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## RESOLUTION

### RECALLING HOUSE BILL No. 1822 FROM GOVERNOR

Mr. MAXWELL offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 2, 1959.

Resolved, (the Senate concurring), That House Bill No. 1822, Printer's No. 1134, entitled, "An act amending the act of March 19, 1951 (P. L. 28), entitled 'An act relating to the civil defense of this State and its coordination with national defense; providing for the establishment of a State Council of Civil Defense, local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts and providing penalties,' making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters," be recalled from the Governor for the purpose of amendment.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2243, entitled:

An Act amending the act of April 27, 1909 (P. L. 260), entitled "An act providing for the return of all surety of the peace and desertion cases \* \* \* and also providing that bail in such cases shall be taken for an appearance forthwith" changing the time when surety of the peace cases are returnable to court.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax

Act of 1957" approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer \* \* \* and making other technical changes therein.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2317, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell 59.514 acres more or less of land situate in West Chillisquaque Township Northumberland County.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE BILLS Nos. 846 and 1579

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.  
September 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 846, Printer's No. 1140, entitled "An Act amending the act of June 24, 1931 (P. L. 1206), entitled 'The First Class Township Code' further regulating the adoption of zoning codes."

DAVID L. LAWRENCE.

September 2, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1579, Printer's No. 894, entitled "An Act amending the act of August 5, 1941 (P. L. 752), entitled 'Civil Service Act' requiring that the commission permit certain promotions."

DAVID L. LAWRENCE.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 888.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing expenditures for aviation training.

HOUSE BILL No. 889.

An Act amending "The Aeronautical Code" approved May 25, 1933 (P. L. 1001), amending and adding defini-



tions revising text to conform and authorizing expenditures for aviation training.

With the information that the Senate has passed the same without amendment.

#### BILLS PASSED OVER

All bills not considered on today's calendar were passed over at the request of Mr. McCANN.

#### ADJOURNMENT

Mr. NEEDHAM. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 9, 1959 at 2:30 p. m. EST.

The motion was agreed to, and (at 4:28 p. m. EST) the House adjourned.

# Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, SEPTEMBER 9, 1959.

No. 89.

## SENATE

WEDNESDAY, SEPTEMBER 9, 1959

The Senate met at 2:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. ELWOOD F. REEVES, JR., Pastor of Duncannon Presbyterian Church, Duncannon, offered the following prayer:

Almighty and Eternal God, our Heavenly Father, Who hearest the prayers of all of Thy children, we come unto Thee this day to ask Thy blessing and Thy guidance upon this Body. We pray that Thou wilt help them in all of the tasks for the governance of our people. We thank Thee for their devotion to civic duty. We pray that in all matters Thou wilt raise them above all thoughts of personal advantage or party advantage, but seeking to serve Thy people and the people of this Commonwealth.

We ask Thy blessing upon our land, in all of its many problems today; that Thou wilt preserve its peace and prosperity; That Thou wilt lift us into Thy service and into doing the work of Thy Kingdom. We pray that this may be a better world because we seek Thy will and to serve Thee.

We ask it in the Name of Thy Son, Jesus Christ. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. KESSLER and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 328, 683, 857, 36, 175, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 553, 587, and 935

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 328, Printer's No. 1199, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' extending the jurisdiction of borough policemen to include property outside the borough owned or controlled by the borough."

DAVID L. LAWRENCE.

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 683, Printer's No. 740, entitled "An Act amending the act of May 17, 1921 (P. L. 682, entitled 'Insurance Company Law of 1921' further regulating proceedings to merge and consolidate mutual insurance companies."

DAVID L. LAWRENCE.

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 857, Printer's No. 996, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' providing for an assistant borough secretary."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 36, Printer's No. 1244, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' further regulating the investment of borough funds."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 175, Printer's No. 189, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code' authorizing the purchase of public liability insurance."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 474, Printer's No.



508, entitled "An Act amending the act of June 25, 1947 (P. L. 973), entitled 'An act relating to the annual salaries of certain county officers of counties of the third class' increasing the salaries of certain county officers."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 475, Printer's No. 509, entitled "An Act amending the act of June 25, 1947 (P. L. 947), entitled 'An act relating to the annual salaries of certain county officers of counties of the fourth class' increasing the salaries of certain county officers."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 476, Printer's No. 1024, entitled "An Act amending the act of June 25, 1947 (P. L. 972), entitled 'An act relating to the annual salaries of certain county officers of counties of the fifth class' increasing the salaries of certain county officers."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 477, Printer's No. 1295, entitled "An Act amending the act of June 25, 1947 (P. L. 928), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class' increasing and fixing the salaries of certain county officers."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 478, Printer's No. 1228, entitled "An Act amending the act of June 25, 1947 (P. L. 938), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class' increasing the salaries of certain employees and officers."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 479, Printer's No. 1229, entitled "An Act amending the act of June 25, 1947 (P. L. 971), entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 480, Printer's No. 514, entitled "An Act amending the act of May 6, 1874 (P. L. 125), entitled 'An act regulating state tax on certain county offices' increasing the maximum amount of fees that certain county offices may retain."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 481, Printer's No. 515, entitled "An Act amending the act of July 29, 1953 (P. L. 981), entitled 'An act fixing the fees and mileage of the coroner in counties of the third class' increasing certain fees"

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 482, Printer's No. 516, entitled "An Act amending the act of January 7, 1952 (P. L. 1844), entitled as amended 'An act fixing the fees and mileage of the coroner in counties of the fourth and fifth classes' increasing certain fees."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 483, Printer's No. 517, entitled "An Act amending the act of May 13, 1949 (P. L. 1328), entitled 'An act fixing the fees and mileage of the coroner in counties of the sixth class' increasing certain fees."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 484, Printer's No. 518, entitled "An Act fixing the fees and mileage of the coroner in counties of the seventh and eighth class."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 553, Printer's No. 1314, entitled "An Act authorizing the Pennsylvania Turnpike Commission to construct tunnels or additional lanes on the Turnpike between the Irwin and Middlesex interchanges."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 587, Printer's No. 634, entitled "An Act amending the act of February 9, 1901 (P. L. 6), entitled 'An act to permit the classification by railroad railway and transportation corporations of their boards of directors or managers' providing that the classes of directors or managers of such companies shall be as nearly equal in number as possible."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 935, Printer's No. 1307, entitled "An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended 'The Fourth to Eighth Class County Assessment Law' specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records."

DAVID L. LAWRENCE.



## NOMINATIONS BY THE GOVERNOR

## REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

## MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred H. Cook, Sr., Beaver, Beaver County, for reappointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Andrew Zendt, Mifflin, Juniata County, for appointment as a member of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice G. Herbert Miller, Richfield, whose term expired.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. R. Womer, Meadowbrook Terrace, Bedford, Bedford County, for appointment as a member of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice John H. Moorehead, Bedford, resigned.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Crowe, 502 Church Street, St Marys, Elk County, for appointment as a member of the Board of Trustees of Clarion State Teachers' College, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Alvin B. Coppola, Esq., St. Marys, resigned.

DAVID L. LAWRENCE.

## MEMBER OF THE ATLANTIC STATES MARINE FISHERIES COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Maurice K. Goddard, State College, Centre County, for appointment as a member of the Atlantic States Marine Fisheries Commission, until November 16, 1961, and until his successor shall be appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

## MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Board on Problems of Older Workers for the term of four years or until their successors are appointed and qualified:

William E. Blankenstein (Republican), 23 Alice Street, Crafton, Pittsburgh 5, Allegheny County, vice William T. Piper, Lock Haven resigned.

Harold P. Fleming (Republican), 1710 Memorial Avenue, Williamsport, Lycoming County, vice William J. McCafferty, McKees Rocks, resigned.

DAVID L. LAWRENCE.

## MEMBER OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles W. David, Radnor and Upper Gulph Roads, Wayne, Chester County, for reappointment as a member of the Board of Trustees of West Chester State Teachers' College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

## MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William H. Noble, 210 South Broad Street, Nazareth, Northampton County, for appointment as a member of the Delaware River Joint Toll Bridge Commission, until terminated, vice Gus P. Verona, Pen Argyl, resigned.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred M. Durso, 400 West Wayne Avenue, Wayne, Delaware County, for appointment as Justice of the Peace in and for the Township of Radnor, Delaware County, to serve until the first Monday of January 1960, vice Thomas A. Hobson, deceased.

DAVID L. LAWRENCE.

## ALDERMAN

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to



nominate for the advice and consent of the Senate Mrs Betty M. Burkhart, 605 North Lime Street, Lancaster, Lancaster County, for appointment as Alderman in and for the Sixth Ward of the City of Lancaster, Lancaster County, to serve until the first Monday of January 1960, vice Harry F. Acker, deceased.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Martin Burket, Bedford Street, Claysburg, Blair County, for appointment as Justice of the Peace in and for the Township of Greensfield, Blair County, to serve until the first Monday of January 1960, vice Grover Imler, resigned.

DAVID L. LAWRENCE.

#### HOUSE MESSAGES

##### SENATE BILL No. 699 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 699, entitled:

An Act amending the act of June 4, 1943 (P. L. 886), entitled, as amended, "Municipal Employees' Retirement Law," defining certain words; establishing eligibility requirements for municipal membership in the retirement system; providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries, and the administration of the funds and accounts of the system.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

##### HOUSE CONCURS IN SENATE BILL No. 373

He also returned to the Senate, Senate Bill No. 373, entitled:

An Act relating to motion picture films, reels, stereopticon views or slides; providing a system of listing the first showing of each film, reel or view and a system of registration of exhibitors, sellers, lessors and users of films, reels or views; disapproval of films, reels or views which are obscene or unsuitable for children and of advertising matter in connection therewith; imposing powers and duties upon the Pennsylvania State Board of Motion Picture Control; and providing penalties for the violation of this act.

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL No. 791

He also returned to the Senate, Senate Bill No. 791, entitled:

An Act amending the act of July 3, 1947 (P. L. 1242), entitled "An Act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," authorizing additional appropriations by cities to police and firemen's pension funds.

with the information that the House has passed the same without amendments.

##### HOUSE CONCURS IN SENATE BILL No. 792

He also returned to the Senate, Senate Bill No. 792, entitled:

An Act reenacting and amending the act of August 17, 1951 (P. L. 1254), entitled "An act fixing the minimum pensions of policemen and firemen in certain cities," taking advantage of amendment to section 11 of Article III of the Constitution and increasing the minimum amount

with the information that the House has passed the same without amendments.

##### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1822

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, September 2, 1959.

Resolved (if the Senate concur), That House Bill No. 1822, Printer's No. 1134, entitled:

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 480, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), requiring the erection of certain warning signs on State highways.

Which was committed to the Committee on Rules.

House Bill No. 1508, entitled:

An Act making an appropriation to the Department of Public Instruction for making grants to financially handicapped and distressed school districts which must make repairs and alterations to school buildings in order to comply with orders of the Department of Labor and Industry.

Which was committed to the Committee on Appropriations.

House Bill No. 1646, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing that evidence of mental condition may be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

Which was committed to the Committee on Rules.

House Bill No. 1781, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriation.

House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

Which was committed to the Committee on Rules.

House Bill No. 1940, entitled:

An Act amending the Act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto." \* \* \*

Which was committed to the Committee on Rules.

House Bill No. 1941, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, and commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain \* \* \*."

Which was committed to the Committee on Rules.

House Bill No. 2013, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) requiring the approval of mufflers by the Secretary of Highways and prohibiting the sale or lease, after specified dates, or unapproved mufflers.

Which was committed to the Committee on Rules.

House Bill No. 2232, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views; prohibiting the exhibition of those found to be obscene; and fixing penalties.

Which was committed to the Committee on Rules.

House Bill No. 2233, entitled:

An Act regulating the distribution and exhibition of motion pictures and stereopticon views, prohibiting the exhibition of those found to be obscene; providing special proceedings; and fixing penalties.

Which was committed to the Committee on Rules.

House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), providing for levying assessment and collection of taxes by certain independent school districts.

Which was committed to the Committee on Rules.

House Bill No. 2261, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the levying and collection of taxes by certain independent school districts.

Which was committed to the Committee on Rules.

House Bill No. 2291, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale of starter pistols to minors.

Which was committed to the Committee on Rules.

House Bill No. 2292, entitled:

An Act requiring the marking of highways and inter-sections in the State Highway system and imposing duties on the Department of Highways.

Which was committed to the Committee on Rules.

House Bill No. 2296, entitled:

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566), by increasing the rate of compensation.

Which was committed to the Committee on Rules.

House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) changing compensation payable in certain instances, adding to the list of injuries for which compensation is payable, changing procedures, clarifying certain terminology, modifying the periods of limitations and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Which was committed to the Committee on Appropriations.

House Bill No. 2320, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey to the Somerset County Development Council 184.13 acres, more or less, in three tracts of land situate in Somerset Township, Somerset County, for development and improvement for use as industrial and commercial sites with reversion, after ten years, of unused or unimproved areas.

Which was committed to the Committee on Rules.

House Bill No. 2321, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres of land in Bensalem Township, Bucks County, and 13.134 acres of land in Somerset Township, Somerset County, in exchange for two tracts containing 109.5 acres of land, situate in Somerset Township, Somerset County.

Which was committed to the Committee on Rules.

House Bill No. 2335, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949, (P. L. 30) limiting to school districts of the second class certain provisions permitting school directors to be appointed secretary to the board upon unanimous consent and upon his resignation as a director.

Which was committed to the Committee on Rules.

House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the De-



partment of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis \* \* \* and to repeal certain provisions concerning employees under Shipping Articles."

Which was committed to the Committee on Rules.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1207

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments on account of pupil transportation to certain additional school districts.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1207

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL No. 141 TAKEN FROM TABLE

Mr. BERGER. Mr. President, I call from the table House Bill No. 141, entitled:

An Act imposing liability upon parents for the tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery.

The PRESIDENT. Is there objection? The Chair hears none.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 141

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL No. 163 TAKEN FROM TABLE

Mr. BERGER. Mr. President, I call from the table House Bill No. 163, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children and chaperons from the definition of common carrier by motor vehicle and contract by motor vehicle in certain cases.

The PRESIDENT. Is there objection? The Chair hears none.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 163

Mr. BERGER. Mr. President, I move that the Senate

insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL No. 621 TAKEN FROM TABLE

Mr. BERGER. Mr. President, I call from the table House Bill No. 621, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto, and making an appropriation

The PRESIDENT. Is there objection? The Chair hears none.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 621

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PROPERT. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 373, Printer's No. 956;  
Senate Bill No. 791, Printer's No. 900; and  
Senate Bill No. 792, Printer's No. 901.

#### REPORTS FROM COMMITTEES

Mr. PROPERT, from the Committee on Highways, reported as committed, Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and township, for their road, street and bridge purpose; . . . continuing a conditional appropriation beyond the calendar year of 1959.

Mr. BERGER, from the Committee on Rules, reported as committed, House Bill No. 2259, entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year; and providing for registration fees.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 440, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for higher education in the public school system through the establishment and operation of junior colleges by certain school districts or county boards of school directors; conferring powers and duties on school directors, county superintendents, county boards of school directors, the Superintendent of Public Instruction and the State Council of Education; and providing for advancements and reimbursements by the Commonwealth.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

### JUSTICE OF THE PEACE

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph E. Hoffman, Penn Hill Park, Womelsdorf, Berks County, for appointment as Justice of the Peace in and for the Borough of Womelsdorf, Berks County, to serve until the first Monday of January 1960, vice Leo R. Kuns, resigned

DAVID L. LAWRENCE.

### ASSOCIATE JUDGE IN AND FOR THE COUNTY OF MONROE

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Florence Warner, Saylorsburg, Monroe County, for appointment as Associate Judge in and for the County of Monroe, until the first Monday of January 1960, vice Homer A. Shupp, resigned.

DAVID L. LAWRENCE.

## BILLS INTRODUCED AND REFERRED

Messrs. WADE, PROPERT, SEYLER, EHRGOOD and HAYS read in place and presented to the Chair Senate Bill No. 1159, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," transferring certain agencies and functions from the Department of Public Instruction to the Department of State.

Which was committed to the Committee on Rules.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 1160, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the designation by nonresidents of the Secretary of Revenue as the agent for service of process.

Which was committed to the Committee on Rules.

Messrs. RIPP, SARRAF, FLEMING and BARR read in place and presented to the Chair Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258), entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale, lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; . . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

Which was committed to the Committee on Rules.

Messrs. KESSLER and PROPERT read in place and presented to the Chair Senate Bill No. 1162, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prohibiting the spending of public money for the preparation, publication and distribution of publications advocating the enactment or defeat of any legislation or program.

Which was committed to the Committee on Rules.

## PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, the bill which I am about to present calls for an appropriation of \$20,760,000 for the fourteen State Teachers' Colleges of Pennsylvania. This is slightly more than the amount in the appropriation bill which the House has passed. However, it seems to me that since this represents what the heads of these fourteen institutions thought they needed for the biennium, this figure should be put before the Senate. This is especially important when we read today, when the schools are opening, that 120,000 teachers a year are leaving the teaching profession. It seems to me, therefore, that we need to support our teacher education institutions.

I would like to add, Mr. President, that I stand ready to support an adequate tax program to pay for a complete educational program in Pennsylvania, including higher education at the State University and the fourteen State Teachers' Colleges. I do that especially in light of the fact that a recent report from the Secretary of Commerce, in Washington, D. C., said that the tax responsibility, per capita, for the individual Pennsylvanian was \$81.22. The tax responsibility, per capita, for a resident of Massachusetts was \$98.67; the tax responsibility, per capita, for a resident of Maryland was \$107.36; and the tax responsibility, per capita, for a resident of the State of Kansas was \$94.06.

In light of these things, Mr. President, I do not hesitate to introduce this bill calling for this appropriation, under the co-sponsorship of my colleague, Senator Seyler.

## BILL INTRODUCED AND REFERRED

Messrs. HAYS and SEYLER read in place and presented to the Chair Senate Bill No. 1163, entitled:

An Act making an appropriation to the Department of Public Instruction for the maintenance of State Teachers' Colleges.

Which was committed to the Committee on Appropriations.

## CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

## EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WADE, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:



## JUSTICE OF THE PEACE

September 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph E. Hoffman, Penn Hill Park, Womelsdorf, Berks County, for appointment as Justice of the Peace in and for the Borough of Womelsdorf, Berks County, to serve until the first Monday of January 1960, vice Leo R. Kuns, resigned.

DAVID L. LAWRENCE

ASSOCIATE JUDGE IN AND THE COUNTY OF  
MONROE

September 2, 1959

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Florence Warner, Saylorsburg, Monroe County, for appointment as Associate Judge in and for the County of Monroe, until the first Monday of January 1960, vice Homer A. Shupp, resigned.

DAVID L. LAWRENCE

A motion was made by Mr. FLEMING and Mr. WADE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

## CALENDAR

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Ageeably to order,

The Senate resumed the consideration of Senate Bill No. 66, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 66

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 66.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS ON FINAL PASSAGE

## OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 233, Printer's No. 733, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## THIRD READING CALENDAR

## REVENUE BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1569;

House Bill No. 661, Printer's No. 1570; and

House Bill No. 662, Printer's No. 1571.

The PRESIDENT. Is there objection? The Chair hears none.

REVENUE BILL ON THIRD READING  
AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2315, entitled:

An Act amending the act of March 6, 1956 (P. L. 1256) entitled "The Hotel Occupancy Tax Act" increasing the rate of tax.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Slivert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Confair,	Koprivier, Jr.	Propert,	Van Sant,
Chapman,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliot,	Mallory,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives with information that the Senate has passed the same without amendments.

### APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation to the Pennsylvania Fish Commission for expenses of a modern engineering survey.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, do you know whether the appropriation, as set forth in Senate Bill No. 298, is included in the budget?

Mr. BERGER. It is not, Mr. President.

Mr. LANE. Do you know whether this money is going to be taken from the Fish Fund?

Mr. BERGER. Mr. President, I understand that this is to come from the General Fund.

Mr. WEINER. Mr. President, I think, before we hurry on to vote on this bill, that we should take due note of the fact that the appropriation being made here should come out of the Fish Fund. At least, it should be delineated in the budget, rather than just an extra appropriation. It appears to me that if we are going to appropriate any extra money to any other activity, it should be for hospitals or schools. If we are going to exceed our budget, I think we should do it along those lines.

Perhaps, Mr. President, one of the gentlemen from the other side, one who serves on the Finance Committee or on the Appropriations Committee, can tell us how we are going to finance this type of appropriation. I would be very happy to hear from them. If they will so advise me, maybe I can find that some of my colleagues over here and I can vote for this bill.

Our problem seems to be one of finding enough money to handle what we already have in the budget. As I understand it, there is some difficulty in meeting that. I believe the Governor has reiterated, on many occasions, that he will not sign any bills or any legislation unless there is the money to pay for it. I believe this falls into that category. I also believe we are just doing a useless act here, unless we have some means or some assurance that we have the money to accomplish what this bill sets out to do.

Mr. BERGER. Mr. President, I must agree that I think the money could very well come out of the Fish Fund. However, I understand that because of the loss in license money accruing to the Fish Fund, they do not have enough money in their set up to make this survey, which they feel should be made.

I hope, Mr. President, that when we examine the budget, we will be able to find an item which will cover this amount of money which, I think, is \$75,000. If not, of course, and if the money is not available, then it cannot be approved by the Governor.

Mr. LANE. Mr. President, in view of the fact that, according to the newspapers, the Republican Majority is going to cut the budget approximately \$60,000,000, I believe that the wise thing to do here today would be to place this bill on the Postponed Calendar. After we have gone through the budget in detail, and know just where we stand, if we then have the money we can pass this legislation. I do believe there is merit to this bill. However, I do not feel that we should appropriate \$75,000 right now, when we do not know where we stand financially.

### BILL POSTPONED

Mr. BERGER. Mr. President, I have no objection to this bill going on the Postponed Calendar for the reasons stated or for any other reason. I would so move that it be placed on the Final Passage Postponed Calendar.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

### APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2219, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

And said bill having been read at length the third time, and agreed to,



On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A constitutional majority of all the Senators have voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 314, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 398, Printer's No. 1072, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 409, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 470, Printer's No. 236;

House Bill No. 471, Printer's No. 237;

House Bill No. 578, Printer's No. 1573; and

Senate Bill No. 735, Printer's No. 816.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 737, Printer's No. 818;

Senate Bill No. 747, Printer's No. 838;

Senate Bill No. 748, Printer's No. 839;

Senate Bill No. 749, Printer's No. 840;

Senate Bill No. 750, Printer's No. 1071; and

Senate Bill No. 751, Printer's No. 1326.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 883, entitled:

An Act prohibiting the packaging delivery or sale of certain plastic bags unless a warning it attached thereto and imposing a penalty.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1545, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 971, Printer's No. 1383, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 975, Printer's No. 1147;

House Bill No. 1015, Printer's No. 1544; and

Senate Bill No. 1037, Printer's No. 1244.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, on behalf of Senator Wade and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 1, by striking out "Clauses" and inserting: "Subsection (a) and clauses"; Amend Sec. 1, page 2, line 3, by inserting after "amended": "by adding at the end of subsection (a) of section 618 a new clause, and amending clauses (2) and (5) of subsection (b) of section 618 and clause (2) of section 619"; Amend Sec. 1 (Sec. 618), page 2, line 5, by striking out all of said line and inserting: "(a) The secretary may suspend the operating privilege of any person, with or without a hearing before the secretary or his representative, upon receiving a record of proceedings, if any, in which such person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a judge or jury, or whenever the secretary finds upon sufficient evidence: \* \* \* (5) That such person has participated in any physical endurance test or any race or speed contest with a motor vehicle on any highway."; Amend Sec. 2 (Sec. 619.1), page 3, lines 13 to 17, by striking out all of said lines and inserting: "Section 619.1. Point System for Speeding and Certain Other Violations of 'The Vehicle Code' and Suspension Thereunder.—" "(a) In the exercise of the powers and duties of suspension conferred upon the secretary under sections 617, 618 and 619 of this act, he shall administer a

point system of suspension as hereinafter provided for the violations hereinafter set forth: Provided, That nothing herein shall limit or change the powers and duties of revocation and suspension conferred upon the secretary under sections 616, 617, 618 and 619, for violations which are not specifically provided for herein."; Amend Sec. 2 (Sec. 619.1), page 3, lines 19 and 20; page 4, lines 1 to 19; page 5, lines 1 to 18, by striking out all of said lines and inserting: "(1) Speeding" "(i) When the lawful maximum speed is fifty (50) miles per hour or less:" "Fifteen (15) or more but less than twenty-one (21) miles per hour in excess of the lawful maximum, 2 points" "Twenty-one (21) or more but less than twenty-six (26) miles per hour in excess of the lawful maximum, 4 points" "Twenty-six (26) or more but less than thirty-six (36) miles per hour in excess of the lawful maximum, 6 points" "Thirty-six (36) miles per hour or more in excess of the lawful maximum, 8 points" "(ii) When the lawful maximum speed is more than fifty (50) miles per hour:" "Six (6) or more but less than sixteen (16) miles per hour in excess of the lawful maximum, 2 points" "Sixteen (16) or more but less than twenty-six (26) miles per hour in excess of the lawful maximum, 4 points" "Twenty-six (26) or more but less than thirty-six (36) miles per hour in excess of the lawful maximum, 6 points" "Thirty-six (36) miles per hour or more in excess of the lawful maximum, 8 points" "(iii) Exceeding the lawful maximum speed in any school zone in violation of clause (2) of subsection (b) of section 1002 of this act, 8 points" "(2) Other violations of 'The Vehicle Code' as follows:"; Amend Sec. 2 (Sec. 619.1), page 6, line 7, by striking out "2" and inserting: "1"; Amend Sec. 2 (Sec. 619.1), page 6, line 19, by striking out "4" and inserting: "14"; Amend Sec. 2 (Sec. 619.1), page 7, line 15, by striking out "offenses" and inserting: "violations"; Amend Sec. 2 (Sec. 619.1), page 7, line 15, by inserting after "(b)": "of section 619.1"; Amend Sec. 2 (Sec. 619.1), page 7, line 18, by striking out "offense" and inserting: "violation, the specific section and subsection of this act which was violated"; Amend Sec. 2 (Sec. 619.1), page 7, line 20, by striking out "three (3)" and inserting: "two (2)"; Amend Sec. 2 (Sec. 619.1), page 7, line 20, by striking out "offense" and inserting: "violation"; Amend Sec. 2 (Sec. 619.1), page 7, line 20, by inserting after "committed": "and only the points recorded within two (2) years from the date of the violation for which the points were entered shall be known as active points"; Amend Sec. 2 (Sec. 619.1), page 8, line 1, by striking out "three (3) active points" and inserting: "either two (2) active points recorded pursuant to clause (1) of subsection (b) of section 619.1, or six (6) active points recorded pursuant to clause (2) of the aforesaid subsection of section 619.1"; Amend Sec. 2 (Sec. 619.1), page 8, line 9, by striking out "to (10) below" and inserting: "and (2)"; Amend Sec. 2 (Sec. 619.1), page 8, lines 10 to 18; page 9, lines 1 to 7, by striking out all of lines 10 to 18, page 8, all of lines 1 to 6 and "(8)" in line 7, page 9, and inserting: "(1) For active points recorded against any person for speeding as provided for in clause (1) of subsection (b) of section 619.1:" "(i) One hundred and twenty (120) days when twenty (20) or more active points have been recorded "(ii) Sixty (60) days when more than fourteen (14).



but less than twenty (20) active points have been recorded "(iii)" Thirty (30) days when more than ten (10) but less than fifteen (15) active points have been recorded "(iv)" Twenty (20) days when more than seven (7) but less than eleven (11) active points have been recorded "(v)" Ten (10) days when more than three (3) but less than eight (8) active points have been recorded "(2) For active points recorded against any person for the violations of "The Vehicle Code" other than speeding as provided for in clause (2) of subsection (b) of section 619.1: "(i) Ninety (90) days when twenty (20) or more active points have been recorded "(ii) Sixty (60) days when eighteen (18) or nineteen (19) active points have been recorded "(iii) Thirty (30) days when less than eighteen (18) but more than fourteen (14) active points have been recorded "(iv) Fifteen (15) days when more than ten (10) but less than fifteen (15) active points have been recorded "(3)"; Amend Sec. 2 (Sec. 619.1), page 9, line 13, by striking out "(9)" and inserting: "(4)"; Amend Sec. 2 (Sec. 619.1), page 9, line 14, by striking out "offenses" and inserting: "violations"; Amend Sec. 2 (Sec. 619.1), page 9, line 15, by striking out "offenses" and inserting: "violations"; Amend Sec. 2 (Sec. 619.1), page 9, line 15, by striking out "offense" and inserting: "violation"; Amend Sec. 2 (Sec. 619.1), page 9, lines 17, 18 and 19; page 10, lines 1 to 4, by striking out all of said lines, and inserting: "(5) Whenever the points recordable for any violation or violations arising out of the same act require suspension under both clauses (1) and (2) of subsection (o) of section 619.1 such suspension shall be limited to the period provided by the particular clause which prescribes the greater of said periods. Provided, however, That in no event shall the active points recorded under clause (1) of subsection (c) of section 619.1 be added to the active points recorded under clause (2) of said subsection, or vice versa, for the purpose of suspending an operator's license of the right to apply for an operator's license." Amend Sec. 2, (Sec. 619.2), page 10, lines 5 to 8, by striking out all of lines 5 to 7 and "record" in line 8, and inserting "Section 619.2. Restricted Licenses in Certain Cases of Suspension Under Point System and Appeals from Refusal to Grant.—" "(a) Whenever, as the results of a violation or violations, either: "(i) Eight (8) or less active points are recorded for speeding violation or violations under clause (1) of subsection (e) of section 619.1, against an operator who at the time has less than four (4) active points in his record; or "(ii) Sixteen (16) or less active points are recorded for a violation or violations under clause (2) of subsection (e) of section 619.1, against an operator who at the time has less than twelve (12) active points on his record." Amend Sec. 2, (Sec. 619.2), page 10, line 19, by striking out "fifteen (15)" and inserting: "thirty (30)". Amend Sec. 2 (Sec. 619.2), page 11, line 3, by striking out "by" and inserting: "from." Amend Sec. 2 (Sec. 619.2), page 11, line 18, by striking out "and" and inserting: "any." Amend Sec. 2 (Sec. 619.2), page 11, lines 18 and 19 by striking out "revoked under clause (8) of subsection (f) of section 619.1" and inserting: "suspended under clause (4) of subsection (e) of section 619.1." Amend Sec. 2 (Sec. 619.2), page 12, line 2, by inserting after "no"; "active." Amend Sec. 2 (Sec. 619.2), page 12, lines 2, 3 and 4, by striking out "subsequent to"

in line 2, all of line 3 and "application for and issuance of the restricted operator's license" in line 4 and inserting: "during the period of suspension provided for in subsection (e) of section 619.1 of this act." Amend Sec. 2 (Sec. 619.2), page 12, lines 8 to 14, by striking out all of lines 8 to 13 and "(f)" in line 14 and inserting: "(e)." Amend Sec. 2 (Sec. 619.2), page 13, lines 7 and 8, by striking out "or fails to appear at a scheduled hearing." Amend Sec. 2 (Sec. 619.2), page 13, line 9, by striking out "fifteen (15)" and inserting: "thirty (30)." Amend Sec. 2 (Sec. 619.2), page 13, lines 10, 11 and 12, by striking out "A failure to act within the time specified shall be deemed to be a" in line 10, all of line 11 and "(g)" in line 12 and inserting: "Provided, however, no suspension entered under subsection (a) of section 619.1 of this act shall become effective while an application for restricted license under section 619.2 of this act is pending before the secretary and before the secretary has acted thereon and has notified the applicant of such action and the applicant has been afforded the opportunity to appeal from such action in accordance with this subsection (e) of section 619.2. (f)." Amend Sec. 2 (Sec. 619.2), page 13, line 13, by inserting after "suspended": "under subsection (e) of section 619.1." Amend Sec. 2 (Sec. 619.2), page 13, line 16, by striking out "fifteen (15)" and inserting: "thirty (30)." Amend Sec. 2 (Sec. 619.2), page 13, line 17, by striking out "fifteen (15)" and inserting: "thirty (30)." Amend Sec. 3, page 14, lines 10 to 13, by striking out "in thirty days and be applicable" in line 10, all of lines 11 to 15 and inserting: "June 1, 1950. In no event shall points be recorded or any operator's record for violations committed prior to that date. Nothing herein shall be construed to affect suspensions or revocations which are or have been in effect on or prior to the effective date of this act."

On the question,

Will the Senate agree to the amendments? They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 1047, Printer's No. 1238, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1089, Printer's No. 1289, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 1383, entitled:

An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 1437, entitled:

An Act amending the act of May 24, 1945 (P. L. 967) entitled "Fictitious Name Act" defining the terms "business" providing for the change of location from one county to another and designating the persons to sign an application to amend the certificate.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1566, Printer's No. 987, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 1945, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading, and consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

And said bill having read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, before we vote on House Bill No. 1992, I thought I should present to the Senate the fact that the State Police have objection to this measure. They feel that vehicles being hauled by the double-saddle method, which I think is the short way of saying it, lack a safety factor. They feel this might cause some difficulty to vehicles traveling on our busy highways, especially on the Turnpike. It is for that reason that the State Police object to this measure.

Mr. BERGER. Mr. President, does the gentleman desire to have the bill go over?

Mr. WEINER. Mr. President, I have no objection to it going over.



## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I now ask unanimous consent that House Bill No. 1992, Printer's No. 1509, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2031, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" increasing the amount of contracts in which borough officials may have no interest.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I do not believe this is good legislation. As a matter of fact, in reviewing this bill, I find that the sponsors wish to increase from \$300 to \$600 the amount of business councilmen might be able to do with some borough. It seems to me that an elected official should not have the right to do business with a borough at all. It seems that this legislation is not good for the taxpayers of Pennsylvania, and I am going to vote in opposition to it.

Mr. WEINER. Mr. President, I want to add an addendum to what Senator Lane has said. This bill recognizes that inflation has taken place even where there might be corruption. This bill amends the Borough Code. At present, no borough official can have an interest in a contract to supply the borough with materials or services in an amount in excess of \$300. If he is interested, the councilman must notify the council and refrain from voting on this matter.

This bill raises the amount of the contract from \$300 to \$600. I think with this duality of interest, despite the fact that the man may not vote, the gentlemen who sit on the council may realize that this is one of the brothers who has an interest in the matter, and they may treat him as such—a loving brother, if you please. I do not think raising the amount from \$300 to \$600 will make any difference at all, except to realize or visualize that more money is being spent by the countites, or that materials now come at a higher price.

I think this is bad legislation, and I would ask my colleagues to vote "no" on this measure.

And the question recurring,

Shall the bill pass finally?

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2031, Printer's No. 1283, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2049, Printer's No. 1262, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2162, entitled:

An Act amending the act of May 22, 1935 (P. L. 233) entitled "Policemen's Relief and Pension Fund Law" regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallory,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No. 2264, on third reading, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it.

be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2265, Printer's No. 1577, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL RE-REFERRED

Mr. BERGER. Mr. President, I move that House Bill No. 2266, on third reading, entitled:

An Act amending the act of June 2, 1891 (P. L. 176) entitled "Anthracite Coal Mining Law" changing the in-

spection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2267, Printer's No. 1340;

House Bill No. 2268, Printer's No. 1341;

House Bill No. 2270, Printer's No. 1343; and

House Bill No. 2271, Printer's No. 1576

The PRESIDENT. Is there objection? The Chair hears none.

### SECOND READING CALENDAR

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 10, Printer's No. 10, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 56, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of liens of such claims and judgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 186, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" further regulating the operation of bowling and tenpin alleys and providing for referendums in municipalities and townships to authorize or prohibit the operation of bowling lanes on Sundays.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendment:

Amend Sec 1 (Sec. 651), page 2, line 12, by inserting brackets before and after "ten dollars (\$10)" and inserting immediately thereafter: "one hundred dollars (\$100)."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHADY offered the following amendments.

Amend Sec. 2 (Sec. 699.4), page 3, line 3, by inserting brackets before and after "four dollars (\$4)" and inserting immediately thereafter: "one hundred dollars (\$100)"; Amend Sec 2 (Sec. 699.4), page 3, line 4, by inserting brackets before and after "six (6)" and inserting immediately thereafter: "thirty (30)."

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHADY offered the following amendment:

Amend Title, page 1, 2nd line of Title, by inserting after "Commonwealth": "increasing penalties."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

#### BILL OVER IN ORDER

Mr. MAHADY. Mr. President, I ask unanimous consent that House Bill No. 186, Printer's No. 975, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 187, Printer's No. 201, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 301, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" providing insurance for self-insurers for liabilities under the Pennsylvania Workmen's Compensation Laws and the Pennsylvania Occupational Disease Laws in certain cases.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 2 (Sec. 651.1), page 4, line 7, by striking out "WITHIN A PLANT OR GROUP OF PLANTS."

It was agreed to.

The section was agreed to as amended.



The title was read and agreed to.  
 And said bill having been read at length the second time, as amended,  
 On the question,  
 Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that Senate Bill No. 301, Printer's No. 1358, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER. Mr. President, I ask unanimous consent that Senate Bill No. 301, Printer's No. 1358, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 446, Printer's No. 1323;  
 Senate Bill No. 447, Printer's No. 481;  
 Senate Bill No. 448, Printer's No. 1324, and  
 Senate Bill No. 449, Printer's No. 1325.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 467, entitled:

An Act amending the act of May 3, 1923 (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including the Italian American World War Veterans of the United States Incorporated among the veterans organizations entitled to the printing of convention reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act amending the act of June 3, 1931 (P. L. 932) entitled "The Third Class City Code" changing tax levy provisions when land and buildings are taxed separately.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 632, Printer's No. 1574;  
 House Bill No. 677, Printer's No. 1036;  
 House Bill No. 679, Printer's No. 175; and

House Bill No. 680, Printer's No. 176.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 738, Printer's No. 819; and  
 House Bill No. 831, Printer's No. 862.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 879, Printer's No. 1037;  
 Senate Bill No. 897, Printer's No. 1052;  
 Senate Bill No. 920, Printer's No. 1083;  
 Senate Bill No. 1001, Printer's No. 1190;  
 Senate Bill No. 1031, Printer's No. 1215; and  
 Senate Bill No. 1036, Printer's No. 1340.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1041, Printer's No. 1232; and  
 Senate Bill No. 1046, Printer's No. 1237.

The PRESIDENT. Is there objections? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947, (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale to the installment sellers from whom such contracts were originally acquired.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1051, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of starter pistols to minors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1052, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions excepting certain work from the provisions which makes worldly employment unlawful on Sunday.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, I would just like to make the observation that Senate Bill No. 1052 is the second

bill we have had clarifying the bill which was supposed to clarify all the Blue Laws, which was Senate Bill No. 405.

I think if we said that Senate Bill No. 405 was a little less than perfect, we would be stating the matter rather correctly. I feel if we stayed in Session a little bit longer, we probably would have four or five other bills further clarifying Senate Bill No. 405.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1071 entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" regulating the advertising of merchandise offered for sale by certain businesses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1079, Printer's No. 1382; and

Senate Bill No. 1081, Printer's No. 1361.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Regional Business Development Credit Corporations to assist promote and encourage through their institutional and corporate stockholders the development of property and advancement of business and economic welfare of various regions of the Commonwealth prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business development credit corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the appointment of special school police defining their powers and duties and providing for their compensation by the school district.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. ELLIOTT offered the following amendment:

Amend Sec. 1 (Sec. 1129.1), page 2, lines 15 and 16, by striking out "and paid by the board of school directors having re-" in line 15 and all of line 16, and inserting, "by the borough council and shall be paid by the borough, or jointly by the borough and the school district, or combination of school districts, or other lawful authority comprised of school districts or school directors which is responsible for the administration of the school laws within the portion of the borough in which the special school police are assigned in a ratio to be determined by the political subdivisions concerned"

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?



**BILL OVER IN ORDER**

Mr. ELLIOTT. Mr. President, I ask unanimous consent that Senate Bill No. 1102, Printer's No. 1308, on second reading, go over in its order, as amended.

The PRESIDENT Is there objection? The Chair hears none.

**BILLS OVER IN ORDER**

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1103, Printer's No. 1309, on second reading, go over in its order.

The PRESIDENT Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1106, Printer's No. 1316, on second reading, go over in its order.

The PRESIDENT Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1107, Printer's No. 1317;  
Senate Bill No. 1109, Printer's No. 1319; and  
Senate Bill No. 1115, Printer's No. 1333.

The PRESIDENT Is there objection? The Chair hears none.

**BILLS ON SECOND READING**

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1131, entitled:

An Act amending the act of May 28 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" providing for additional payments to certain pensioned or retired employees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1143, entitled:

An Act amending the act of May 5 1933 (P. L. 364) entitled "Business Corporation Law" providing for the corporate name the contents of the articles of incorporation and articles of merger prescribing the method of cancelling treasury shares and the manner of giving notice of the winding up proceedings.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1144, entitled:

An Act amending the act of May 5 1933 (P. L. 289) entitled "Nonprofit Corporation Law" providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign non-profit corporation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1145, entitled:

An Act amending the act of June 8 1911 (P. L. 710) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject" providing for the withdrawal from business and the surrender of the certificate of authority.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1228, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

**BILLS OVER IN ORDER**

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1297, Printer's No. 1507; and  
House Bill No. 1455, Printer's No. 516.

The PRESIDENT Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1463, Printer's No. 871; and  
House Bill No. 1472, Printer's No. 640.

The PRESIDENT Is there objection? The Chair hears none.

**BILL ON SECOND READING**

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1544, entitled:

An Act amending the act of April 23 1909 (P. L. 141) entitled "An act providing for the use of borough and township lockups and city or county prisons for the detention of prisoners arrested by sheriffs constables members of the State constabulary or other persons authorized by the laws of the Commonwealth to make arrests and entitling boroughs townships and cities to receive remuneration for the same" increasing daily compensation of certain boroughs cities and townships from the county treasury for each prisoner incarcerated.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

**BILLS OVER IN ORDER**

Mr. WEINER. Mr. President, I ask unanimous consent

that the following bills, on second reading, go over in their order:

House Bill No. 1572, Printers No. 1299; and  
House Bill No. 1654, Printer's No. 1022.

The PRESIDENT Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1823, entitled:

An Act providing for the creation maintenance and operation of an employees' retirement system in cities of the second class A and imposing certain charges on cities of the second class A and school districts in cities of the second class A.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1835, Printers No. 1228; and  
House Bill No. 2014, Printers No. 1159.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. Lane read in place and presented to the Chair Senate Bill No. 1164, entitled:

An Act amending the act of August 9 1955 (P. L. 323) entitled "The County Code," granting the board of commissioners power to acquire certain property by eminent domain.

Which was committed to the Committee on Rules.

### BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.  
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and township, for their road street and bridge purposes; . . . continuing a conditional appropriation beyond the calendar year of 1959.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2259, entitled:

An Act amending "The Pennsylvania Securities Act" approved June 24, 1939 (P. L. 748) changing the registration year; and providing for registration fees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills :

House Bill No. 888, Printer's No. 677; and  
House Bill No. 889, Printer's No. 671.

### HOUSE MESSAGES

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No 1528

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, September 3, 1959.

Resolved (if the Senate concur), That House Bill No. 1528, Printer's No. 1131, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. ) No. 32, directing the issuance of special registration plates for suburban motor vehicles and prescribing the fee thereof.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1305

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, September 2, 1959.

Resolved (if the Senate concur), That House Bill No. 1305, Printer's No. 1245, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), empowering townships of the second class to levy, assess and collect certain additional taxes under the provisions of said act.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Thursday, September 10, 1959, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:44 o'clock, p. m., Eastern Standard Time, until Thursday, September 10, 1959, at 10:00 o'clock, a. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, September 9, 1959.

The House met at 2:30 p.m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou most gracious God of love, in a world that is starving for the care and concern which Thou wouldst have us show, we come to Thee. Prick our consciences that we may be aware of the love which Thou hast shown toward us through Thy Son, Jesus Christ, our Lord; continue to bestow upon these Thy stewards the evidences of Thy bounty as Thou dost fill them with Thy presence; and inspire them with the great need of showing that love in their care and concern for others. In the Name and for the sake of Jesus Christ. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, August 17, Tuesday, August 18, Wednesday, August 19, and Thursday, August 20, 1959? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, September 2, 1959 will be postponed until printed.

The Chair hears none.

## BILL INTRODUCED AND REFERRED

By McCANN, BONNER and MAXWELL.

HOUSE BILL No. 2360.

An Act amending the "Practical Nurse Law" approved March 2, 1956 (P. L. 1211), further providing for the filing of applications for licensure without examination.

Referred to the Committee on Profession Licensure.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOIES asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

## LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. WELSH for the week because of illness.

Mr. Tompkins for Mr. OGILVIE for the week.

Mr. Tompkins for Mr. LIGHT for the week.

Mr. Tompkins for Mr. BLAIR for the week.

Mr. Tompkins for Mr. O'DELL for the week.

Mr. Tompkins for Mr. AUKER for the week because of illness.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

## SENATE BILL No. 736.

An Act amending the act of April 18, 1949 (P. L. 512) entitled "Fiduciaries Act of 1949" providing for the investment of funds clarifying the power of a personal representative to sell with the joinder of the specific devisee and including the power to pledge in the power to sell.

Referred to the Committee on Rules.

## SENATE BILL No. 739

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

Referred to the Committee on Judiciary.

## RESOLUTION INTRODUCED AND REFERRED

By Mr. BARTON.

RESOLUTION No. 108.

In the House of Representatives, September 2, 1959.

The Selective Sales and Use Tax has been enacted into law by the General Assembly for the purpose of raising revenue, along with other taxes, in sufficient amount to provide for the financial needs of the Commonwealth.

In order to be fully effective, a tax program must be fairly enforced, with every effort made to disseminate the information necessary for full and efficient collection. Particularly, when such a law is extremely complicated, and information is so insufficient that full collection is virtually impossible, every effort should be made, in a manner consistent with good government administration and with due regard to the position of those who are required to collect these taxes, to supply all necessary details so that the greatest amount of revenue may be obtained at the lowest possible cost; therefore be it

Resolved, That the House of Representatives request, and direct the Secretary of Revenue of the Commonwealth of Pennsylvania, to supply all establishments, licensed under the Selective Sales and Use Tax Act, a detailed list of taxable items, and, particularly in the case of the Use Tax, the manner in which collection and charges shall be made.

Referred to the Committee on Rules.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 888.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing expenditures for aviation training.

## HOUSE BILL No. 889

An Act amending "The Aeronautical Code" approved May 25, 1933 (P. L. 1001) amending and adding definitions revising text to conform and authorizing expenditures for aviation training.

## SENATE BILL No. 373.

An Act relating to motion picture films reels or stereopticon views or slides providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors sellers lessors and users of films reels or views disapproval of films reels or views which are obscene or unsuitable for children and of advertising matter used in connection therewith imposing powers and duties upon the Pennsylvania State Board of Motion

Picture Control and providing penalties for the violation of this act.

SENATE BILL No. 791.

An Act amending the act of July 3, 1947 (P. L. 1242) entitled "An act relating to police and firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto and requiring reports and audits" authorizing additional appropriations by cities to police and firemen's pension funds.

SENATE BILL No. 792.

An Act reenacting and amending the act of August 17, 1951 (P. L. 1254) entitled "An act fixing the minimum pensions of policemen and firemen in certain cities" taking advantage of amendment to section II of Article III of the Constitution and increasing the minimum amount.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION NO. 1822

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 2, 1959.

Resolved (if the Senate concur), that House Bill No. 1822, Printer's No. 1134, entitled "An act amending the act of March 19 1951 (P L 28) entitled 'An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties' making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters", be recalled from the Governor for the purpose of amendment.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1, 223, 354, 521, 847, 982, 1066, 1077, 1427, 1430, 1483, 1645, 1658, 1714, 1885, 1892, 1903, 1953, 1999, 2009 and 2121.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1, Printer's No. 1302, entitled "An act amending the act of June 11, 1947 (P. L. 565) entitled 'World War II Veterans' Compensation Act' extending the time during which applications may be filed for veterans' compensation and making an appropriation."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 223, Printer's No. 1136, entitled "An Act amending the act of May 13, 1925

(P. L. 644), entitled 'An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes' exempting organizations composed of mothers of men or women who WERE members of the armed services of the United States during time of combat."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 354, Printer's No. 1069 entitled "An Act amending the act of June 25, 1941 (P. L. 159), entitled 'Municipal Borrowing Law' authorizing certain political subdivisions to borrow money for capital expenditures for improvements and equipment without the issuance of bonds."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 521, Printer's No. 138, entitled "An Act authorizing the use of certified mail in lieu of registered mail."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 847, Printer's No. 1001, entitled "An Act amending the act of May 4, 1927. (P. L. 519), entitled 'The Borough Code' requiring notice of the places where zone maps may be examined before zoning ordinances are presented to council."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 982, Printer's No. 1038, entitled "An Act amending the act of May 25, 1945. (P.L. 1050) entitled 'Local Tax Collection Law' requiring tax collectors to include additional information when making statements for taxes collected."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1066, Printer's No. 355, entitled "An Act authorizing an interstate compact concerning detainees and for related purposes."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1077, Printer's No. 756, entitled "An Act empowering the Department of Health to regulate the burial of radioactive material and to issue permits therefor and prescribing penalties."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1427, Printer's No.



1365, entitled "An Act amending the act of May 4, 1927. (P. L. 519) entitled 'The Borough Code' permitting council to request that a certified check accompany bids for contracts."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1430, Printer's No. 1251, entitled "An Act repealing section 1035 act of April 29, 1959. (Act No. 32) entitled 'The Vehicle Code' relating to carrying of other vehicles the weight of which is above the cab of the carrier vehicle or above the head of the operator of the carrier vehicle."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1483, Printer's No. 1208, entitled "An Act amending the act of August 9, 1955. (P. L. 323) entitled 'The County Code' authorizing appropriations to posts of the Society of the Twenty-eighth Division AEF Incorporated to help defray the costs of Memorial Day and Armistice Day and authorizing such organizations to collect prepare and file data concerning burial places of military naval and other combat personnel with the county commissioners."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1645, Printer's No. 787, entitled "An Act amending the act of June 3, 1937 (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' further specifying the time for holding meetings of the Game Commission."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1658, Printer's No. 882, entitled "An Act amending the act of April 29, 1959. (Act No. 32) entitled 'The Vehicle Code' by making the time when a red light shall be placed on objects extending beyond the chassis conform with the time when lights shall be displayed on all vehicles and tractors AND FURTHER PROVIDING FOR THE VISIBILITY OF SUCH LIGHTS."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1714, Printer's No. 1212, entitled "An Act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1885, Printer's No. 1153, entitled "An Act amending the act of May 1, 1933. (P. L. 103) entitled 'The Second Class Township Code'

deleting the limitation on indebtedness for the purpose of erecting a townhouse."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1892, Printer's No. 994, entitled "An Act amending the act of July 12, 1913 (P. L. 711) entitled 'An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expense thereof' giving the court jurisdiction in the trial of indictments for arson and burglary."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1903, Printer's No. 944, entitled "An Act to prohibit discrimination in employment by the Commonwealth its agencies or any political subdivision because of membership in the National Guard or a reserve component of the United States in certain cases."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1953, Printer's No. 1011, entitled "An Act amending the act of May 4, 1927. (P. L. 519) entitled 'The Borough Code' providing that the auditors' report shall be filed by the auditors."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1999, Printer's No. 990, entitled "An Act amending the act of June 3, 1937. (P. L. 1225) entitled 'The Game Law' further providing for the trapping of beaver."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2009, Printer's No. 1015, entitled "An Act amending the act of May 4, 1927. (P. L. 519) entitled 'The Borough Code' further providing for the regulation of parking lots."

DAVID L. LAWRENCE.

September 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2121, Printer's No. 1216, entitled "An Act amending the act of March 1, 1876. (P. L. 306) entitled 'An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron and regulate his duties' providing that the constable and collector hereafter elected shall hold his office for a term of two years."

DAVID L. LAWRENCE.



## REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as amended, House Bill No. 2316, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

Mr. McCANN from the Committee on Rules, reported as amended, House Resolution No. 40.

Mr. McCANN from the Committee on Rules, reported as amended, House Resolution No. 82.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 99.

Mr. PRICE from the Committee on State Government, reported as committed, House Bill No. 2106, entitled:

An Act to regulate and control the distribution, sale or offering for sale, of all bread wrapped or unwrapped; conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties, relative thereto; prescribing penalties for violations thereof; and repealing inconsistent laws.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2108, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; \* \* \*."

Mrs. B. Z. MILLER from the Committee on Professional Licensure, reported as committed, House Bill No. 2202, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), defining Basic School of Beauty Culture and Advanced School of Beauty Culture and prescribing fees for such schools.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2286, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled, as amended "An act creating a joint legislative commission, to be known as the Joint State Government Commission;\*\*\*," authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2358, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further defining the authority of the Department of Public Instruction to review construction projects.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2359, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and com-

pensation of certain county officers of counties of the sixth class," fixing the compensation of auditors.

Mr. EILBERG from the Committee on Professional Licensure, reported as committed, House Bill No. 2360, entitled:

An Act amending the "Practical Nurse Law" approved March 2, 1956 (P. L. 1211), further providing for the filing of applications for licensure without examination.

## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2106, entitled:

An Act to regulate and control the distribution, sale or offering for sale, of all bread wrapped or unwrapped; conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties, relative thereto; prescribing penalties for violations thereof; and repealing inconsistent laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2108, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties;\*\*\*"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2202, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), defining Basic School of Beauty Culture and Advanced School of Beauty Culture and prescribing registration fees for such schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2286, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled, as amended "An act creating a joint legislative commission, to be known as the Joint State Government Commission; \*\*\*," authorizing the caucus chairmen of



each house to appoint substitutes in their stead as members of the executive committee.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2358, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further defining the authority of the Department of Public Instruction to review construction projects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2359, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," fixing the compensation of auditors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2360, entitled:

An Act amending the "Practical Nurse Law" approved March 2, 1956 (P. L. 1211), further providing for the filing of applications for licensure without examination.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCHWARTZ asked and obtained permission for the Committee on State Government to meet during the session of the House.

### RESOLUTION

#### RECALLING HOUSE BILL No. 1528 FROM THE GOVERNOR

Mr. TAYLOR offered a resolution which was read, considered and adopted as follows:

In the House of Representatives September 3, 1959.

Resolved (if the Senate concur), that House Bill No. 1528, Printer's No. 1131, entitled "An act amending the act of April 29, 1959 (P. L. —) No. 32 entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' PROVIDING FOR the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### RESOLUTION

#### RECALLING HOUSE BILL No. 1305 FROM THE GOVERNOR

Mr. POLEN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 2, 1959.

Resolved (if the Senate concurs) that House Bill No. 1305, Printer's No. 1245, entitled "An act amending the act of June 25, 1947. (P. L. 1145) entitled as amended, 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' empowering townships of the second class to levy assess and collect certain additional taxes under the provisions of said act," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### RESOLUTION

#### HOUSE EQUIPMENT

Messrs. POLEN, BOWER, HELM, MIHM and McCANN saked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, September 9, 1959.

The House of Representatives, because of its large membership and volume of work both during legislative sessions and the interim after final adjournment, requires for its use factual information concerning:

1. Electric roll call systems.
2. Public address systems.
3. The supplying and filing of bills, journals, reports and other related materials to members on their desks in such a manner as to provide adequate desk space in the conduct of the business of the House.
4. Rooms and equipment allocated to the standing committees and staff of the House; therefore be it.

Resolved, That the Speaker of the House appoint a committee of six members of the House of Representatives who shall:

1. Study and evaluate electric roll call systems and designate the system that would be most suitable to meet the needs of the House of Representatives for the efficient conduct of its business with the recommendations that such system be purchased or leased and installed.
2. Inquire into the adequacy of the public address system presently in use in the House of Representatives and make recommendations for the manner of its arrangement, improvements thereto or replacement thereof.

3. Study the supplying and filing of bills, journals, reports and other related materials to the members on their desks in the House of Representatives and make recommendations that would result in providing adequate desk space for the members in the conduct of the business of the House.

4. Conduct a survey of the rooms allocated to the standing committees and staff of the House of Representatives and make recommendations for the improvement thereof; and be it further

Resolved, That the committee make a full report of its findings and recommendations to the House of Representatives and file a copy thereof with the Speaker as soon as possible, and be it further

Resolved, That the adoption of this resolution shall constitute sufficient authority for the Chief Clerk of the House of Representatives to purchase or lease directly or to requisition the Department of Property and Supplies for an electric roll call system and a public address system



in the House of Representatives in accordance with the recommendations of the committee as filed with the Speaker; and be it further

Resolved, That the committee implement the recommendations by appropriate plans and legislation for the financing thereof; and be it further

Resolved, That the expenses incurred by the committee in making the studies and inquiries herein specified be paid by the Chief Clerk of the House of Representatives out of his fund for incidental expenses.

On the question,

Will the House adopt the resolution?

Mr. POLEN. Mr. Speaker, last week a Select Committee of the House was appointed by the Speaker to propose a plan of procedure to the House upon its reconvening on Wednesday, September 9.

This Committee has held two meetings. We have discussed the question of a more efficient public address system, the feasibility of an electric roll call system and also examination of the filing system of bills, Journals, and so forth on the Members' desks.

The report of that committee is contained in the resolution which I have just introduced.

The SPEAKER. Might the Chair inquire of the gentleman from Washington whether the Chair is in error in interpreting this resolution as a resolution conferring power to act upon the Committee appointed by the Speaker?

Mr. POLEN. Mr. Speaker, this resolution does confer such power upon the Committee.

The SPEAKER. The Chair thanks the gentleman.

Mr. McCORMACK. Mr. Speaker, I would like to make a brief statement in regard to the resolution just read by the Clerk.

I concur wholeheartedly in the resolution that is now before the House, but I submit that it does not go far enough. I do not know if, under the Rules, it was within the jurisdiction of that Committee to decide as to the number of standing committees in the House.

The SPEAKER. The Chair would inform the gentleman that that particular matter was not within the purview of the special committee.

Mr. McCORMACK. Thank you, Mr. Speaker. Then I do not care to extend my remarks.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

The SPEAKER. The Speaker in the very near future will announce the membership of the Committee that he is privileged to appoint.

The objective we are serving today is that when the next Session of the Legislature convenes there will be an electric roll call machine in operation, and that in all probability there will be installed microphones, perhaps one microphone for every two Members, a sort of a gadget that goes down and you pull it up, enabling the Members of the House to address the Chair and address the House as a whole from their seats instead of turning into one of the aisles.

There are other things we have in view, and I think those of you who are fortunate or unfortunate enough to be elected or reelected as Members of the House will see those improvements in actual operation.

## PERMISSION TO ADDRESS HOUSE

Mr. FARABAUGH asked and obtained unanimous consent to address the House.

Mr. Speaker, it appears very queer to me that a resolution of this kind, involving as much money as it does, should be put before this House on a voice vote.

The SPEAKER. The Chair would inform the gentleman that the money is not appropriated by means of this resolution. Legislation will be adopted providing for the appropriation of the money. The resolution simply empowers the Chair to appoint the committee, and empowers the Committee to proceed as, if and when the General Assembly makes the money available.

Mr. FARABAUGH. The resolution did not sound that way to me.

The SPEAKER. That is the way the resolution is, and we advise the gentleman from Cambria to read it once again.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2181, entitled:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) penalizing acts of malicious mischief to real or personal property.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2341, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 403, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system etc. . . ." providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

The first section was read.

On the question,

Will the House agree to the section?



## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 899, entitled:

An Act requiring the Department of Highways and the Department of Forests and Waters to make a survey in cooperation with the United States Army Engineers concerning a roadway between Presque Isle State Park and the City of Erie.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1152, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115) changing provisions relating to cancellation of registration.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1592, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 717), page 4, lines 13 and 14, by striking out "two dollars and fifty cents (\$2.50)" and inserting "two dollars (\$2.00)."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 2, page 6, line 1, by inserting after "revenue": "not, however, before the year 1961."

It was agreed to:

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1854, entitled:

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507) authorizing assessment of decedent's property for five years prior to the date in which death occurs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2096, entitled:

An Act relating to water well drillers \* \* \* providing for the revocation of suspension of licenses and prescribing unlawful acts and penalties.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers \* \* \* and providing an appropriation therefor.

The first to fourth sections inclusive were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. HAMILTON offered the following amendment:

Amend Section 5, page 12, line 15, by striking out "its first task" and inserting: "soon as is practicable."

It was agreed to.

The section was agreed to as amended.

The sixth to fifteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2240, entitled:

An Act amending the "Commerce Law" approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2302, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) further regulating cash sales of milk on farms.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FARABAUGH offered the following amendments:

Amend Sec. 1 (Sec. 402), page 4, line 3, by striking out "on the farm on which it is produced."

Amend Sec. 1 (Sec. 402), page 4, line 4, by striking out "the brackets before "at" and after "consumers."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties" further extending its provisions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 436, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 639, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086) entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons" whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members and Presidents of State Teachers Colleges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

### BILLS PASSED OVER

There being no objection,

House Bill No. 1652, Printer's No. 1287 and

House Bill No. 1726, Printer's No. 1306,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1853, entitled:

An Act amending the "Oleomargarine and Butterine Law" approved June 30, 1947 (P. L. 1154) by adding and redefining terms and increasing fees.

On the question,

Shall the bill pass finally?

Mr. FARABAUGH. Mr. Speaker, the way this bill reads on the calendar I am afraid that it might be misleading. Therefore, I desire to make a few remarks.

All the oleomargarine bill does, as it is now written, is to change the wording so that margarine may be called margarine that is not oleomargarine and removes the words of "keeping and reporting records" that had to be done in the past. It does not change; it does not increase the fee as is stated on your calendar.

The bill originally had an increase in it but that has been amended out, so that the bill as it now stands simply



makes those two changes which simplifies the work for the people handling margarine and they will call it what it is. I think there should be no misunderstanding about this point.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—167

Agnew,	Frascella,	McCann,	Renwick,
Anderson,	Fulmer,	McCormack,	Rigby,
Arlene,	Galley,	McDonald,	Riley,
Balthaser,	Gallagher,	McInroy,	Rovansek,
Barton,	Garlock,	McKeever,	Rudisill,
Bell,	Gelfand,	McLaughlin,	Sakulsky,
Boles,	Gibb,	Machmer,	Scarcelli,
Bonner,	Gramlich,	Mahan,	Schaaf,
Boris,	Guthrie,	Markley,	Schuster,
Bowman,	Hamilton,	Maxwell,	Schwartz,
Branca,	Heavey,	Meholchick,	Seltzer,
Brenninger,	Helm,	Merry,	Sherman,
Breth,	Henzel,	Mihm,	Shupnik,
Buchanan,	Hocker,	Miller, B. Z.,	Silverman,
Burns,	Holliday,	Miller, H. G.,	Snider,
Capano,	Holt,	Monroe,	Stank,
Capitolo,	Horst,	Muldowney,	Steckel,
Cianfrani,	Irvis,	Mullen,	Stewart,
Cioffi,	Jenkins,	Munley,	Stimmel,
Clarke,	Jim,	Murphy, P. J.,	Stone,
Comer,	Johnson, A. W.,	Murray, H. P.,	Stoner,
Crossin,	Johnson, R.,	Murray, J. J.,	Taylor,
Curwood,	Jones, F. R.,	Musto,	Trusio,
Davis,	Jones, T. H. W.,	Naugle,	Ujobai,
Dennis,	Jump,	Needham,	Varallo,
Devlin,	Kamyk,	Nelson,	Varnar,
Donahue,	Kee,	O'Donnell, J. A.,	Verona,
Donaldson,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	O'Neill,	Weldner,
Eilberg,	Kooker,	Parlante,	Wescott,
Eshback,	Korns,	Pashley,	Wheeler,
Ewing,	Kovolenko,	Perry, H. H.,	Whittaker,
Farabaugh,	Kubitsky,	Perry, P. E.,	Williams, A.D., Jr.,
Fetterolf,	Lamb,	Petrosky,	Williams, E. S.,
Filo,	Lee, A. M.,	Polaski,	Willard,
Fineman,	Lee, K. B.,	Polen,	Willaredt,
Floyd,	Leonard,	Prendergast,	Wynd,
Flynn,	Lopresti,	Price,	Yatron,
Foerster,	Luigard,	Pursley,	Yetter,
Fox,	Lutty,	Reibman,	Zimmerman,
Frank,	McCandless,	Reidenbach,	Andrews,
			Speaker

## NAYS—16

Bower,	Goldstein	Royer,	Wilt,
Edwards,	Goodrich,	Stroup,	Wood,
Eshleman,	Lippincott,	Tompkins,	Worley,
George,	Murray, P. G.,	Wall,	Zimmerman,

## NOT VOTING—25

Ashton,	Heffner,	Magee,	Snare,
Auker,	Isaacs,	Mills,	Stevens,
Blair,	Knecht,	Moran,	Strausser,
Brown,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Cooper,	Light,	O'Dell,	Thompson,
Dengler,	Limper,	Ogilvie,	Welsh,
Dennison,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel restaurant and club liquor licenses.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—183

Agnew,	Galley,	McDonald,	Royer,
Anderson,	Gallagher,	McInroy,	Rudisill,
Arlene,	Garlock,	McKeever,	Sakulsky,
Balthaser,	Gelfand,	McLaughlin,	Scarcelli,
Barton,	George,	Machmer,	Schaaf,
Bell,	Gibb,	Mahan,	Schuster,
Boles,	Goldstein,	Markley,	Schwartz,
Bonner,	Goodrich,	Maxwell,	Seltzer,
Boris,	Gramlich,	Meholchick,	Sherman,
Bower,	Guthrie,	Merry,	Shupnik,
Bowman,	Hamilton,	Mihm,	Silverman,
Branca,	Heavey,	Miller, B. Z.,	Snider,
Brenninger,	Helm,	Miller, H. G.,	Stank,
Breth,	Henzel,	Monroe,	Steckel,
Buchanan,	Hocker,	Moran,	Stewart,
Burns,	Holliday,	Muldowney,	Stimmel,
Capano,	Holt,	Mullen,	Stone,
Capitolo,	Horst,	Munley,	Stoner,
Cianfrani,	Irvis,	Murphy, P. J.,	Stroup,
Cioffi,	Jenkins,	Murray, H. P.,	Taylor,
Clarke,	Jim,	Murray, J. J.,	Tompkins,
Comer,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Crossin,	Johnson, R.,	Musto,	Ujobai,
Curwood,	Jones, F. R.,	Naugle,	Varallo,
Davis,	Jones, T. H. W.,	Needham,	Varnar,
Dennis,	Jump,	Nelson,	Verona,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wall,
Donahue,	Kee,	O'Donnell, J. P.,	Walsh,
Donaldson,	Keiser,	Odorisio,	Wargo,
Dougherty,	Kernaghan,	O'Neill,	Weldner,
Down,	Kessler,	Parlante,	Wescott,
Edwards,	Kooker,	Pashley,	Wheeler,
Eilberg,	Korns,	Perry, H. H.,	Whittaker,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, A.D., Jr.,
Eshleman,	Kubitsky,	Petrosky,	Williams, E. S.,
Ewing,	Lamb,	Polaski,	Willard,
Farabaugh,	Lee, A. M.,	Polen,	Willaredt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wynd,
Filo,	Leonard,	Price,	Yatron,
Fineman,	Lopresti,	Pursley,	Yetter,
Floyd,	Luigard,	Reibman,	Zimmerman,
Flynn,	Lutty,	Reidenbach,	Andrews,
Foerster,	McCandless,	Renwick,	Speaker
Fox,	McCann,	Rigby,	
Frank,	McCormack,	Riley,	
		Rovansek,	

## NAYS—0

## NOT VOTING—25

Ashton,	Dennison,	Limper,	Snare,
Auker,	Heffner,	Magee,	Stevens,
Blair,	Isaacs,	Mills,	Strausser,
Brown,	Knecht,	Murphy, A. J., Jr.	Sullivan,
Cooper,	Kornick,	O'Dell,	Thompson,
Dengler,	Light,	Ogilvie,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—181

Agnew,	Fulmer,	McDonald,	Rudisill,
Anderson,	Galley,	McInroy,	Sakulsky,
Arlene,	Gallagher,	McKeever,	Scarcelli,
Balthaser,	Garlock,	McLaughlin,	Schaaf,
Barton,	Gelfand,	Machmer,	Schuster,
Bell,	George,	Mahan,	Schwartz,
Boles,	Gibb,	Markley,	Seltzer,
Bonner,	Goldstein,	Maxwell,	Sherman,
Boris,	Goodrich,	Meholchick,	Shupnik,
Bower,	Gramlich,	Merry,	Silverman,
Bowman,	Guthrie,	Mihm,	Snider,
Branca,	Hamilton,	Miller, B. Z.,	Stank,
Brenninger,	Heavey,	Miller, H. G.,	Steckel,
Breth,	Heim,	Monroe,	Stewart,
Buchanan,	Henzel,	Muldowney,	Stimmel,
Burns,	Hocker,	Mullen,	Stone,
Capano,	Holliday,	Munley,	Stoner,
Capitolo,	Holt,	Murphy, P. J.,	Stroup,
Cianfrani,	Horst,	Murray, H. P.,	Taylor,
Cioffi,	Irvins,	Murray, J. J.,	Tompkins,
Clarke,	Jenkins,	Murray, P. G.,	Trusio,
Comer,	Jim,	Musto,	Ujobai,
Crossin,	Johnson, A. W.,	Naugle,	Varallo,
Curwood,	Johnson, R.,	Needham,	Varner,
Davis,	Jones, F. R.,	Nelson,	Verona,
Dennis,	Jones, T. H. W.,	O'Donnell, J. A.,	Wall,
Devlin,	Jump,	O'Donnell, J. P.,	Walsh,
Donahue,	Kamyk,	Odorisio,	Weidner,
Donaldson,	Kee,	O'Neil,	Welsh,
Dougherty,	Keiser,	Parlante,	Wescott,
Down,	Kernaghan,	Pashley,	Wheeler,
Edwards,	Kessler,	Perry, H. H.,	Whittaker,
Eilberg,	Kooker,	Perry, P. E.,	Williams, A. D., Jr.,
Eshback,	Korns,	Petrosky,	Williams, E. S.,
Eshleman,	Kovolenko,	Polaski,	Willard,
Ewing,	Kubitsky,	Polen,	Willaredt,
Farabaugh,	Lamb,	Prendergast,	Wilt,
Fetterolf,	Lee, A. M.,	Price,	Wood,
Filo,	Lee, K. B.,	Pursley,	Worley,
Fineman,	Leonard,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Luigard,	Rigby,	Zimmerman,
Fox,	Lutty,	Riley,	Andrews,
Frank,	McCandless,	Rovansek,	Speaker
Frascella,	McCann,	Royer,	

## NAYS—2

McCormack, Wargo,

## NOT VOTING—25

Ashton,	Dennison,	Limper,	Ogilvie,
Auker,	Heffner,	Magee,	Snare,
Blair,	Isaacs,	Mills,	Stevens,
Brown,	Knecht,	Moran,	Strausser,
Cooper,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Dengler,	Light,	O'Dell,	Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 835, entitled:

An Act providing for annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and were taken and were as follows:

## YEAS—156

Agnew,	Goldstein	Mahan,	Schaaf,
Anderson,	Goodrich,	Markley,	Schuster,
Arlene,	Gramlich,	Maxwell,	Schwartz,
Balthaser,	Guthrie,	Meholchick,	Seltzer,
Boles,	Hamilton,	Mihm,	Sherman,
Bonner,	Heavey,	Miller, B. Z.,	Shupnik,
Boris,	Helm,	Mills,	Silverman,
Bower,	Hocker,	Monroe,	Snider,
Branca,	Holt,	Muldowney,	Stewart,
Brenninger,	Irvins,	Mullen,	Stone,
Breth,	Jenkins,	Munley,	Stoner,
Buchanan,	Jim,	Murphy, P. J.,	Stroup,
Burns,	Johnson, R.,	Murray, P. G.,	Taylor,
Capano,	Jones, F. R.,	Musto,	Tompkins,
Capitolo,	Jones, T. H. W.,	Naugle,	Trusio,
Cianfrani,	Jump,	Needham,	Ujobai,
Cioffi,	Kamyk,	Nelson,	Varallo,
Clarke,	Kee,	O'Donnell, J. A.,	Varner,
Comer,	Keiser,	O'Donnell, J. P.,	Verona,
Crossin,	Knecht,	O'Neil,	Wall,
Curwood,	Kooker,	Parlante,	Walsh,
Dennis,	Kornick,	Pashley,	Wargo,
Devlin,	Kovolenko,	Perry, H. H.,	Weidner,
Donaldson,	Kubitsky,	Perry, P. E.,	Wescott,
Dougherty,	Lamb,	Petrosky,	Wheeler,
Eshleman,	Lee, A. M.,	Polaski,	Whittaker,
Ewing,	Lee, K. B.,	Polen,	Williams, A. D., Jr.,
Farabaugh,	Leonard,	Prendergast,	Williams, E. S.,
Filo,	Lopresti,	Price,	Willard,
Fineman,	Luigard,	Reibman,	Willaredt,
Floyd,	Lutty,	Reidenbach,	Wilt,
Flynn,	McCandless,	Renwick,	Wood,
Foerster,	McCann,	Rigby,	Worley,
Frank,	McCormack,	Riley,	Wynd,
Frascella,	McDonald,	Rovansek,	Yatron,
Galley,	McInroy,	Royer,	Yetter,
Gallagher,	McKeever,	Rudisill,	Zimmerman,
Garlock,	McLaughlin,	Sakulsky,	Andrews,
Gelfand,	Machmer,	Scarcelli,	Speaker
Gibb,			

## NAYS—28

Barton,	Eshback,	Horst,	Miller, H. G.,
Bell,	Fetterolf,	Johnson, A. W.,	Murray, H. P.,
Bowman,	Fox,	Kernaghan,	Odorisio,
Davis,	Fulmer,	Kessler,	Pursley,
Donahue,	George,	Korns,	Stank,
Down,	Henzel,	Lippincott,	Steckel,
Edwards,	Holliday,	Merry,	Stimmel,

## NOT VOTING—24

Ashton,	Dennison,	Magee,	Snare,
Auker,	Eilberg,	Moran,	Stevens,
Blair,	Heffner,	Murphy, A. J., Jr.	Strausser,
Brown,	Isaacs,	Murray, J. J.,	Sullivan,
Cooper,	Light,	O'Dell,	Thompson,
Dengler,	Limper,	Ogilvie,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON FINAL PASSAGE POSTPONED

## TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 1542, Printer's No. 1253, on page 8 of today's calendar, bills on final passage postponed.

## APPROPRIATION BILL ON THIRD READING

Agreeably to order,



The House proceeded to the third reading and consideration of House Bill No. 2230 entitled:

An Act making an appropriation to the Department of Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—112

Anderson,	Galley,	McKeever,	Riley,
Arlene,	Gallagher,	McLaughlin,	Rovansek,
Balthaser,	Garlock,	Machmer,	Rudisill,
Boies,	Gelfand,	Maxwell,	Sakulsky,
Bonner,	Goldstein,	Meholchick,	Scarcelll,
Boris,	Hamilton,	Mihm,	Schaaf,
Branca,	Heavey,	Mills,	Schuster,
Breth,	Holt,	Monroe,	Schwartz,
Capano,	Irviss,	Muldowney,	Sherman,
Capitolo,	Jenkins,	Mullen,	Shupnik,
Cianfrani,	Jim,	Munley,	Silverman,
Cioffi,	Johnson, A. W.,	Musto,	Snider,
Clarke,	Jones, F. R.,	Needham,	Stank,
Crossin,	Jump,	Nelson,	Stewart,
Curwood,	Kamyk,	O'Donnell, J. A.,	Stone,
Dennis,	Kee,	O'Donnell, J. P.,	Stroup,
Devlin,	Knecht,	O'Neil,	Taylor,
Dougherty,	Kooker,	Parlante,	Tompkins,
Edwards,	Kovolenko,	Pashley,	Truslo,
Elberg,	Kubitsky,	Perry, H. H.,	Varallo,
Farabaugh,	Lamb,	Perry, P. E.,	Varnier,
Filo,	Leonard,	Petrosky,	Verona,
Fineman,	Lopresti,	Polaski,	Walsh,
Floyd,	Luigard,	Polen,	Wargo,
Flynn,	Lutty,	Prendergast,	Wheeler,
Foerster,	McCann,	Reibman,	Williams, A.D., Jr.,
Frank,	McCormack,	Reldenbach,	Yatron,
Frascella,	McDonald,	Renwick,	Yetter,

#### NAYS—72

Agnew,	Fox,	Lee, A. M.,	Seltzer,
Barton,	Fulmer,	Lee, K. B.,	Steckel,
Bell,	George,	Lippincott,	Stoner,
Bower,	Gibb,	McCandless,	Ujbal,
Bowman,	Goodrich,	McInroy,	Wall,
Brenninger,	Gramlich,	Mahan,	Weidner,
Buchanan,	Guthrie,	Merry,	Wescott,
Burns,	Helm,	Miller, B. Z.,	Whittaker,
Davis,	Henzel,	Miller, H. G.,	Williams, E. S.,
Dengler,	Hocker,	Murphy, P. J.,	Willard,
Dennison,	Holliday,	Murray, H. P.,	Willaredt,
Donahue,	Horst,	Murray, P. G.,	Wilt,
Donaldson,	Johnson, R.,	Naugle,	Wood,
Down,	Jones, T. H. W.,	Odoristo,	Worley,
Eshback,	Kelser,	Price,	Wynd,
Eshleman,	Kernaghan,	Pursley,	Zimmerman,
Ewing,	Kessler,	Rigby,	Andrews,
Fetterolf,	Korns,	Royer,	Speaker

#### NOT VOTING—24

Ashton,	Heffner,	Markley,	Snare,
Auker,	Isaacs,	Moran,	Stevens,
Blair,	Kornick,	Murphy, A.J., Jr.,	Stimmel,
Brown,	Light,	Murray, J. J.,	Strausser,
Comer,	Limper,	O'Dell,	Sullivan,
Cooper,	Magee,	Ogilvie,	Thompson,
			Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### REASON FOR VOTE

Mr. BUCHANAN filed the following reasons for his vote on House Bill No. 2230.

I voted against House Bill 2230, printer's number 1469, for the following reasons.

The appropriation provided in House Bill 2230, Printer's No. 1469, should be given to state owned and state aided colleges and universities rather than to a new system of colleges to be established. I favor expanding existing colleges and universities and the establishment of new centers where they are needed. These centers should be established by existing colleges and universities. The appropriation in this bill should be used for the above purposes.

#### BILLS ON THIRD READING

##### BILLS PASSED OVER

There being no objection,

House Bill No. 325, Printer's No. 999 and

House Bill No. 459, Printer's No. 1498.

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 568 entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929, (P. L. 177) giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and the location and construction of school buildings in school districts of the third and fourth class where the reimbursement by the Commonwealth on account of transportation will be increased because of such acquisition of grounds or the location and construction or reconstruction of school buildings.

On the question,

Will the House agree to the bill on third reading?

Mrs. REIBMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, line 12 of Title, by striking out "the location and."

Amen Title, page 2, lines 13 to 19 of Title, by striking out "in school districts of" in line 13, and all of lines 14 to 19.

Amend Section 1 (Section 1302), page 3, lines 7 to 10, by striking out "in school districts of the" in line 7, all of lines 8 to 9, and "tion will be increased because of" in line 10.

Amend Section 1 (Section 1302), page 3, line 11, by striking out "location and" and inserting: the.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection,

House Bill No. 765, Printer's No. 221  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 814, entitled:

An Act amending the act of June 3 1937 (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by removing prohibition against unincorporated associations making political contributions.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON. Mr. Speaker, so that the membership will be thoroughly informed on this bill, I would like to interrogate one of the sponsors of the bill; the leading sponsor, or any one of the sponsors of the bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I believe leave of absence was obtained for the principal sponsor, the gentleman from Philadelphia, Mr. Welsh.

Mr. A. W. JOHNSON. In the absence of the leading sponsor, Mr. Speaker, I think we should pass the bill over. I have some very searching questions I would like to ask.

Mr. McCANN. Mr. Speaker, the bill was not to go over today. Mr. Welsh is not here, but the other gentlemen who sponsored the bill are here. I did not know leave of absence was going to be requested for Mr. Welsh. I am sure we shall be able to answer the questions on the bill.

Mr. A. W. JOHNSON. Is sponsor No. 2 here, Mr. Machmer.

Mr. MACHMER. I yield to Mr. Luigard.

The SPEAKER. The gentleman from Berks, Mr. Machmer, yields to the gentleman from Berks, Mr. Luigard.

Mr. McCANN. As I said to the gentleman from McKean, Mr. Johnson, we will attempt to answer his questions if the gentleman from Berks County will yield to me.

The SPEAKER. Will the gentleman from Berks yield to the Majority Leader?

Mr. MACHMER. Yes, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I would then like to ask the gentleman just what the bill does and just what is the necessity for the bill?

Mr. McCANN. The bill simply takes out of the present law unincorporated associations. By taking out the brackets and removing them it permits unincorporated associations to be eligible to make political contributions, to be eligible to donate their money, to help elect you and other people who are running for state-wide and local offices.

Mr. A. W. JOHNSON. Will you guarantee that they will donate to elect me?

Mr. McCANN. Mr. Speaker, I am sure the gentleman

will be pleased to know that if his voting record is right, if he has stood for the things that the unincorporated associations stand for, they will be there with their money and their help.

Mr. A. W. JOHNSON. Will the gentleman please give a definition of what is an unincorporated association?

Mr. McCANN. I would say the simplest definition that I know of would be an association unchartered by the state. Would that be about a correct definition of an unincorporated association?

Mr. A. W. JOHNSON. It would be, in general terms. Now we will be a little more specific.

Mr. McCANN. Would you care to say which concerns you are interested in that you would care to see if they fall into that category?

Mr. A. W. JOHNSON. Now just a minute. I asked you a question. You answer it.

Mr. McCANN. I apologize, Mr. Speaker.

Mr. A. W. JOHNSON. It is trade unions, is it not, that the bill is mainly designed for?

Mr. McCANN. Well, Mr. Speaker, the gentleman would be able to say that trade unions would be unincorporated associations, but that would not be the entire limit of organizations that would fall into this category.

Mr. A. W. JOHNSON. I notice that unincorporated associations are being taken out of the bill, but corporations which are a type of association are being left in under the disability that they cannot donate. What is the difference between a corporation being denied the right and an unincorporated association with millions in their treasury being given the right to donate? Is there any difference between the two?

Mr. McCANN. I see no difference in respect to the unincorporated associations and the corporations.

If you recall distinctly, I have no objections to the amendments to the bill which would enable them. The philosophy behind this bill dealt with unincorporated associations. Corporations would take in various clubs and corporations of business in the definition. I believe that they, too, should have the right to make contributions, which I believe a good many do at the present time.

Mr. A. W. JOHNSON. Mr. Speaker, I have amendments here that would do that very thing, permit corporations also to give. And in view of what Mr. McCann said, that he would not object to the amendments, I would like to ask unanimous consent of the House to offer amendments at this time removing corporations also from the disability.

My point is that I feel it would be just as fair for everybody to come right out in the open to make their donations, rather than one group being allowed to do it openly and then the corporate group, who obviously in some way or some fashion, by some type of device, will contribute. I think it would be a wholesome thing for everybody if not only trade unions, but corporations and all associations, were permitted to donate. Then when a candidate files his sheet, and if XYZ corporation or XYZ union or the YMCA donates, I think the people have a right to know.

With what you have said, I would like to ask the Speaker for unanimous consent of the House to offer amendments at this time.

Mr. McCANN. I have no objection to the amendments



which the gentleman from McKean, Mr. Johnson, has proposed. I also bring to his attention that a partnership falls in one definition here, and I do bring to your attention, of course, that corporations now do not contribute as corporations, but they contribute as individuals. This of course would permit corporation contribution to any political party or political campaign. I see nothing wrong with that in this system of ours, in political circles, in which they themselves, through their respective officers, would then be permitted to place their financial contributions, if that is what the amendments do that you have in your possession.

#### PARLIAMENTARY INQUIRY

Mr. SHERMAN. I rise to a parliamentary inquiry at this point.

The SPEAKER. The gentleman will state it.

Mr. SHERMAN. Am I right that by eliminating both corporations and unincorporated associations you have nothing but the title of the bill left?

The SPEAKER. The gentleman's point is that if the body is amended the title should be amended?

Mr. SHERMAN. No, my point is that I think the bill applies only to corporations and unincorporated associations, Section 1605, and if that is true, and you are going to eliminate both corporations and unincorporated associations, I do not think you will have any bill.

The SPEAKER. Will the Majority Leader explain the point. The Chair fails to get the significance of the point the gentleman from Philadelphia makes. He apologizes for not being a lawyer, and the gentleman raises a lawyer's point that maybe the Majority Leader or the Minority Leader can answer.

Mr. A. W. JOHNSON. Mr. Speaker, I am wondering if you would agree to pass the bill over temporarily. There is a little confusion here as to the exact type of amendments we have. Would you pass the bill over temporarily?

#### BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that the bill be passed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 926, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestley \* \* \*.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—188

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,

Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irvis,	Munley,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobai,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Walsh,
Donahue,	Kelser,	O'Donnell, J. P.	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Weidner,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Ellberg,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,			

#### NAYS—0

#### NOT VOTING—20

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Blair,	Kornick,	O'Dell,	Sullivan,
Brown,	Light,	Ogilvie,	Thompson,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MIHM asked and obtained permission for the Committee on Cities—Counties Second Class and Second Class A to meet during the session of the House.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1205, entitled:

An Act repealing clause (f) of section 402 of the "Unemployment Compensation Law" approved December 5 1936 (1937 P. L. 2897) relating to ineligibility for compensation under shipping articles.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. CAPANO. Mr. Speaker, I move that this bill be

recommitted to the Committee on Workmen's Compensation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1294, entitled:

An Act providing that employes of the Commonwealth of Pennsylvania or any political subdivision thereof in the absence of statutory law to the contrary shall not be forbidden by any superior officer to exercise the privilege of participating or engaging in political activities.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, in the course of our membership in the House we have often voted for bills of no import whatsoever. This particular bill seems to be in that classification. It states that no employe of the Commonwealth of Pennsylvania or any political subdivision thereof in the absence of statutory law to the contrary shall be forbidden by any superior officer to exercise the privilege of participating or engaging in political activities. This is the law today. Why pass a bill like this? There is no penalty clause attached to it. We are just adding more papers to the pamphlet laws. I suggest that the bill be voted down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—98

Anderson,	Frank,	Machmer,	Renwick,
Arlene,	Frascella,	Maxwell,	Riley,
Balthaser,	Galley,	Meholchick,	Rovansek,
Boies,	Gallagher,	Mihm,	Rudisill,
Bonner,	Garlock,	Mills,	Sakulsky,
Branca,	Gelfand,	Monroe,	Scarcelli,
Breth,	Hamilton,	Muldowney,	Schaaf,
Burns,	Heavey,	Mullen,	Schuster,
Capano,	Holt,	Munley,	Schwartz,
Capitolo,	Irlis,	Musto,	Sherman,
Cianfrani,	Jenkins,	Needham,	Shupnik,
Cioffi,	Jim,	Nelson,	Silverman,
Clarke,	Jones, F. R.,	O'Donnell, J. A.,	Snider,
Comer,	Kamyk,	O'Donnell, J. P.,	Stank,
Crossin,	Kovolenko,	O'Neill,	Stone,
Curwood,	Lamb,	Parlante,	Taylor,
Dennis,	Leonard,	Pashley,	Varallo,
Devlin,	Lippincott,	Perry, H. H.,	Verona,
Dougherty,	Lopresti,	Perry, P. E.,	Walsh,
Ellberg,	Luigard,	Petrosky,	Wargo,
Farabaugh,	Lutty,	Polaski,	Yatron,
Filo,	McCann,	Polen,	Yetter,
Fineman,	McDonald,	Prendergast,	Andrews,
Flynn,	McKeever,	Reibman,	Speaker
Foerster,	McLaughlin,	Reidenbach,	

#### NAYS—84

Agnew,	George,	Korns,	Steckel,
Barton,	Gibb,	Kubitsky,	Stewart,
Bell,	Goldstein,	Lee, A. M.,	Stimmel,
Boris,	Goodrich,	Lee, K. B.,	Stoner,
Bower,	Gramlich,	McCandless,	Stroup,
Brenner,	Guthrie,	McCormack,	Tompkins,
Brenninger,	Helm,	McInroy,	Ujobai,
Buchanan,	Henzel,	Mahan,	Varner,
Davis,	Hocker,	Merry,	Wall,
Dengler,	Holliday,	Miller, B. Z.,	Weidner,
Dennison,	Horst,	Miller, H. G.,	Wescott,
Donahue,	Johnson, A. W.,	Murphy, P. J.,	Whittaker,
Donaldson,	Johnson, R.,	Murray, H. P.,	Williams, A. D., Jr.,
Down,	Jones, T. H. W.,	Murray, P. G.,	Williams, E. S.,

Edwards,  
Eshback,  
Eshleman,  
Ewing,  
Fetterolf,  
Fox,  
Fulmer,

Jump,  
Kee,  
Kelser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,

Naugle,  
Odorisio,  
Price,  
Pursley,  
Rigby,  
Royer,  
Seltzer,

Willard,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Zimmerman,

#### NOT VOTING—26

Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,  
Floyd,  
Hefner,

Isaacs,  
Kornick,  
Light,  
Limper,  
Magee,  
Markley,  
Moran,

Murphy, A. J., Jr.,  
Murray, J. J.,  
O'Dell,  
Ogilvie,  
Snare,  
Stevens,

Strausser,  
Sullivan,  
Thompson,  
Trusio,  
Welsh,  
Wheeler,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1335, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P. L. 177) increasing the powers and duties of the Department of Agriculture.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DEVLIN. This is a companion bill to House Bill 1336 that we passed which set up the Agricultural Marketing Commission. The Commission is composed of nine members and this bill 1335 will, as I read it and as I have been advised, empower the Department of Agriculture to assist the Marketing Commission in the performance of its duties on page 2, and the various marketing industries, the farming industries in Pennsylvania.

The Department will have administrative duties to perform in connection with the tabulation of reports and requests made by the Commission; it will have the duty of being a working arm to aid the Commission and I feel it is necessary adjunct to legislation that this House has already passed.

The bill is very brief in its language and its terminology. I feel that is all it does and I feel that it is necessary that we do this.

Mr. STECKEL. Mr. Speaker, can the gentleman tell me whether at the original hearing at the Farm Show Building any of the agricultural groups requested this legislation of the department?

Mr. DEVLIN. I do not know that, Mr. Speaker.

Mr. STECKEL. Is it the feeling of the department that this legislation is desired by the farmers of this Commonwealth?

Mr. DEVLIN. Yes, that is my understanding. I have received correspondence from the Horticultural Association and I have been advised by Mr. Seyler in the Department that this bill as passed has the support of the Grange.

Mr. STECKEL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, this bill in its original hearing in the Farm Show Building received no support from the many agencies called to discuss it. I have had numerous requests from farmers of the areas who are interested in



preserving their own independence. They say there is no need for the state to spend this money, that they are capable through their own marketing organizations, which are organized on a product level, to sell and market their own products. They say they do not want or need state people who are directly affected by this administrative proposal, they simply do not want the aid that we would be required to levy taxes to administer.

I feel that the House should respond to the request and desires of those people whom we are trying, and I use the word in parenthesis "to help." It is commendable in this day and age when a group of our citizens do not want the help of the state to do something which they feel they are perfectly adequate and able to do with their own abilities.

Therefore, I believe that we should vote against this proposition and support the will of the people who want to do for themselves what they can do for themselves.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Devlin.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. DEVLIN. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, did I hear the gentleman correctly when he said the bill we are now voting on, 1335, is a companion bill and an adjunct to House Bill 1336 which we previously passed?

Mr. DEVLIN. Yes, that is what I said.

Mr. A. D. WILLIAMS. Am I correct, Mr. Speaker, that House Bill 1336 merely sets up machinery whereby the farmers of Pennsylvania could in their organizations and in some collective activity of theirs contribute funds which they themselves in a private way would use to promote their Pennsylvania farm products? Is that not what 1336 did?

Mr. DEVLIN. 1336 set up a Marketing Commission of nine members. 1335 authorizes the Department of Agriculture to assist this commission.

Mr. A. D. WILLIAMS. My question, Mr. Speaker, this bill 1335, would allow outright grants from the state government, would it not?

Mr. DEVLIN. To the commission, yes sir.

Mr. A. D. WILLIAMS. And 1336, the bill which we previously passed, can function without those grants, can it not?

Mr. DEVLIN. The commission is set up under 1336.

Under the explanation given to us at the first committee meeting on the bills, we were told that the department would need a revolving fund of \$25,000 with which to get this marketing program working, that the fund would be regularly replenished by the contributions of the members of the marketing associations and the funds would be, in effect, a loan from the Commonwealth to the department to get the program functioning, that it was to be and is merely a revolving fund to be used until the contributions come in from the association members.

Mr. A. D. WILLIAMS. I thank the gentleman.

Mr. Speaker, I would like to express myself in opposition to this bill and agree with my colleague, Mr. Steckel.

I believe House Bill 1336 which we did pass allowed the farmers to do for themselves what they wish to do for themselves, to promote their Pennsylvania farm

products. They apparently do not want state aid. I think this is a rather refreshing thought. I see it so seldom up here in Harrisburg and I think that we should defeat this bill.

Mr. YETTER. I would like to interrogate Mr. Steckel.

The SPEAKER. Will the gentleman from Lehigh, Mr. Steckel, permit himself to be interrogated?

Mr. STECKEL. I shall, Mr. Speaker.

Mr. YETTER. Will the gentleman tell us how many farmers asked him to go against this bill?

Mr. STECKEL. Yes, a representative of the Lehigh County group of the farmers' association. I do not know how many farmers he represents but I believe there are some four or five hundred members in Lehigh County, also representatives of local distributor groups, I believe, of egg and products of that kind, turkeys. The people who contacted me purported to speak not just for themselves but for the groups that they represented.

Mr. YETTER. Mr. Speaker, are they against the idea of the marketing agreements, or was it opposition to the state helping set up the financial aid of the state helping to set up these marketing organizations?

Mr. STECKEL. The expression of opposition was twofold.

First, they felt that the Department of Agriculture was formed for the purpose of aiding the farmer, and giving him crop advice, factual information and not for the purpose of marketing his goods.

The second objection was felt that it was unnecessary for the state to spend its money to help them sell their products, which they feel they are able to do through their own marketing associations.

Mr. YETTER. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—89

Anderson,	Gelfand,	Mihm,	Renwick,
Arlene,	Hamilton,	Mills,	Riley,
Boles,	Heavey,	Monroe,	Rudisill,
Bonner,	Holt,	Muldowney,	Sakulsky,
Bower,	Irviss,	Mullen,	Scarcelli,
Branca,	Jenkins,	Munley,	Schaaf,
Breth,	Jim,	Musto,	Schuster,
Burns,	Jones, F. R.,	Needham,	Schwartz,
Capano,	Jones, T. H. W.,	Nelson,	Sherman,
Capitolo,	Kamyk,	O'Donnell, J. A.,	Shupnik,
Clarke,	Kovolenko,	O'Donnell, J. F.,	Stone,
Comer,	Lamb,	O'Neil,	Taylor,
Crossin,	Leonard,	Parlante,	Trusilo,
Dennis,	Lopresti,	Pashley,	Varallo,
Dougherty,	Luigard,	Perry, H. H.,	Verona,
Ellberg,	Lutty,	Perry, P. E.,	Walsh,
Farabaugh,	McCann,	Petrosky,	Wargo,
Filo,	McCormack,	Polaski,	Worley,
Fineman,	McDonald,	Polen,	Yatron,
Floyd,	McKeever,	Prendergast,	Yetter,
Foerster,	McLaughlin,	Reibman,	Andrews,
Frank,	Maxwell,	Reidenbach,	Speaker
Galley,	Meholchick,		

## NAYS—90

Agnew,	Fulmer,	Kubitsky,	Snider,
Balthaser,	Gallagher,	Lee, A. M.,	Stank,
Barton,	Garlock,	Lee, K. B.,	Steckel,
Bell,	George,	Lippincott,	Stewart,
Boris,	Gibb,	McCandless,	Stimmel,
Bowman,	Goldstein,	McInroy,	Stoner,
Brenninger,	Gramlich,	Machmer,	Stroup,
Buchanan,	Guthrie,	Mahan,	Tompkins,
Curwood,	Helm,	Merry,	Ujosal,
Davis,	Henzel,	Miller, B. Z.,	Varnier,

Dengler,  
Dennison,  
Devlin,  
Donahue,  
Donaldson,  
Down,  
Edwards,  
Eshback,  
Eshleman,  
Ewing,  
Fetterolf,  
Flynn,  
Foz,

Hocker,  
Holliday,  
Horst,  
Johnson, A. W.,  
Johnson, R.,  
Jump,  
Kee,  
Kelser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,  
Korns,

Miller, H. G.,  
Murphy, P. J.,  
Murray, H. P.,  
Murray, P. G.,  
Naugle,  
Odoriso,  
Price,  
Pursley,  
Rigby,  
Rovanssek,  
Royer,  
Seltzer,

Wall,  
Weldner,  
Wescott,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willard,  
Willaredt,  
Wilt,  
Wood,  
Wynd,  
Zimmerman,

#### NOT VOTING—29

Ashton,  
Auker,  
Blair,  
Brown,  
Cianfrani,  
Cloffi,  
Cooper,  
Frascella,

Goodrich,  
Heffner,  
Isaacs,  
Kornick,  
Light,  
Limper,  
Magee,

Markley,  
Moran,  
Murphy, A. J., Jr.,  
Murray, J. J.,  
O'Dell,  
Ogilvie,  
Silverman,

Snare,  
Stevens,  
Strausser,  
Sullivan,  
Thompson,  
Welsh,  
Wheeler,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### BILL PASSED OVER

There being no objection,  
House Bill No. 1505, Printer's No. 1553,  
was passed over at the request of the SPEAKER.

#### SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 409 and 1177.

Senate insists upon amendments non-concurred in to House Bills Nos. 141, 163, 621, 1207.

#### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Bill, page 4, by inserting after line 4 "Section 3. The Youth Development Center at Canonsburg shall be under the jurisdiction of the Department of Public Welfare. Each institution acquired, purchased or leased pursuant to the provisions of section 2 of this act shall also be under the jurisdiction of the Department of Public Welfare as an annex of the Youth Development Center at Canonsburg. The Youth Development Center at Canonsburg and any annex thereof shall be used in accordance with the purposes set forth in section 1 of this act for the care, guidance and control of delinquent minors. The Secretary of Public Welfare shall appoint a superintendent of each such institution.

Section 4. There is hereby created a departmental administrative board in the Department of Public Welfare to be known as the "Board of Trustees of the Youth Development Center at Canonsburg." The board shall receive into custody in the Youth Development Center at Canonsburg or any annex thereof for care, guidance and control any minor under the age of eighteen (18) years properly committed by law. Such minors may remain committed until they attain the age of twenty-one (21) years."

Amend Sec. 3, page 5, line 3, by striking out "3" and inserting "5".

Amend Sec. 4, page 5, line 14, by striking out "4" and inserting "6".

Amend Sec. 5, page 7, line 1, by striking out "5" and inserting "7".

Amend Sec. 6, page 8, line 17, by striking out "6" and inserting "8".

Amend Bill, page 9, by inserting between lines 6 and 7 "Section 9. The following acts and parts of acts and all amendments thereof are hereby repealed:

"Sections 10, 11, 13, 14, 15, 18, 19 and 20, act of April 22, 1850 (P. L. 538), entitled "An act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun-powder; to incorporate an association for the establishment of a house of refuge for western Pennsylvania; and relative to the Pennsylvania State Lunatic hospital."

"Sections 1 and 2, act of January 31, 1855 (P. L. 6), entitled "A further supplement to the act incorporating the House of Refuge of Western Pennsylvania, passed April twenty-second, one thousand eight hundred and fifty."

"The act of April 11, 1868 (P. L. 847), entitled "An act relative to the House of Refuge for Western Pennsylvania."

"The act of April 25, 1929 (P. L. 699) entitled "An act providing for the monthly payment by the counties to the Department of Revenue of charges for clothing, maintaining, and educating pupils at the Pennsylvania Training School at Morgantown."

"The act of May 15, 1945 (P. L. 573), entitled "An act authorizing the Department of Property and Supplies to acquire for the use of the Department of Welfare the Kis-Lyn School, located in Luzerne County, to be used as a training school for certain juvenile delinquents; creating a board of trustees to supervise and manage such institution; regulating the admission and cost of care and maintenance of such juvenile delinquents."

"The act of May 15, 1945 (P. L. 574), entitled "An act authorizing a State training school for female juvenile delinquents; creating a board of trustees to supervise and manage such institution; making the admission and cost of care and maintenance of such juvenile delinquents."

Amend Sec. 7, page 9, line 7, by striking out "7" and inserting "10."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, from time to time we celebrate the birthdays of Members of this House. We have many unsung heroes in this House of Representatives who devote a



lot of time, a lot of effort during every day of this Session and every other Session.

We have in our midst today a man who is celebrating his birthday tomorrow. The reason I am calling it to your attention today is that I have had advance notice that he is not going to be here tomorrow.

He spends many, many hours every day that we are in Session, sitting up there at that front desk, and long, long into the night after we are gone keeping our records straight. If he had only been doing it for this Session, or this Session and the past one, I would not think so much about it, but I want you to know that he has been an employe of this House of Representatives now for almost 50 years. Tomorrow is the birthday of Gene Moyer, the Chief Reporter of this House, and I think we ought at least extend to him birthday greetings today.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Dengler.

Mr. DENGLER. Let us sing, "Happy Birthday, Gene Moyer."

The SPEAKER. Will the gentleman take a bow? He could even make a speech if he wanted to; he has recorded enough of them to make anybody sick and tired of speeches.

## BILLS ON THIRD READING

### BILL PASSED OVER

There being no objection,

House Bill No. 1879, Printer's No. 1555, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irvis,	Munley,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujohal,

Davis,  
Dengler,  
Dennis,  
Dennison,  
Devlin,  
Donahue,  
Donaldson,  
Dougherty,  
Down,  
Edwards,  
Ellberg,  
Eshback,  
Eshleman,  
Ewing,  
Farabaugh,  
Fetterolf,  
Filo,  
Fineman,  
Floyd,  
Flynn,  
Foerster,  
Fox,  
Frank,  
Frascella,

Jones, F. R.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Kee,  
Kelser,  
Kernaghan,  
Kessler,  
Knecht,  
Kooker,  
Korns,  
Kovolenko,  
Kubitsky,  
Lamb,  
Lee, A. M.,  
Lee, K. B.,  
Leonard,  
Limper,  
Lippincott,  
Lopresti,  
Luigard,  
Lutty,  
McCandless,

Musto,  
Naugle,  
Needham,  
Nelson,  
O'Donnell, J. A.,  
O'Donnell, J. P.,  
Odorisio,  
O'Neil,  
Parlante,  
Pashley,  
Perry, H. H.,  
Perry, P. E.,  
Petrosky,  
Polaski,  
Polen,  
Prendergast,  
Price,  
Pursley,  
Reibman,  
Reidenbach,  
Renwick,  
Rigby,  
Riley,  
Speaker

Varallo,  
Varner,  
Verona,  
Wall,  
Walsh,  
Wargo,  
Weidner,  
Wescott,  
Wheeler,  
Whittaker,  
Williams, A. D., Jr.,  
Williams, E. S.,  
Willard,  
Willaredt,  
Wilt,  
Wood,  
Worley,  
Wynd,  
Yatron,  
Yetter,  
Zimmerman,  
Andrews,

### NAYS—0

### NOT VOTING—20

Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,

Heffner,  
Isaacs,  
Kornick,  
Light,  
Magee,

Moran,  
Murphy, A. J., Jr.,  
O'Dell,  
Oglvie,  
Snare,

Stevens,  
Strausser,  
Sullivan,  
Thompson,  
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS PASSED OVER

There being no objection,

House Bill No. 2090, Printer's No. 1118 and

House Bill No. 2120, Printer's No. 1400,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill 2175, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) validating certain unions of school districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,

Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irvls,	Munley,	Stroup,
Clarke	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobai,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Walsh,
Donahue,	Keiser,	O'Donnell, J. P.	Wargo,
Donaldson,	Kernaghan,	Odoristo,	Weldner,
Dougherty,	Kessler,	O'Neill,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Ellberg,	Korns,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,			

## NAYS—0

## NOT VOTING—20

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Blair,	Kornick,	O'Dell,	Sullivan,
Brown,	Light,	Ogilvie,	Thompson,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2207, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. The next is House Bill No. 2207, Printer's No. 1558. I would like to have permission to say a few words about the bill.

Mr. Speaker, House Bill 2207, Printer's No. 1558, is a simple piece of legislation.

I am going to ask the Members of this House to answer me one question. Each of you live in a school district where your residence is located now. How many of you can tell me of your own school district where you live, the amount of the state appropriation to your school district? Just as many as know that answer is just how many of the public know in the area in which you live.

What does this bill do? This bill simply says that on the notices that would be sent out by the collector, it would indicate the amount of the state appropriation.

Have you ever taken the time to attend a meeting in

your community in which the people in your community for some reason do not even know the amount of state money that you appropriate and send to your school district? If you vote against this bill, then evidently your position is that you do not favor these people having this knowledge.

I think it is good, sound, sensible information for every taxpayer in this Commonwealth who receives a school tax notice that on that notice you name your school district, and on there would be printed the amount of the state appropriation.

My friends, I believe it would be one of the most educational features to the citizens of this Commonwealth to know that the taxes that you vote for education are right here on this tax notice that you send to my district and your district. That is what this piece of legislation does.

We conceived this idea, and I do not mind saying that I took a part in the discussion that formulated this piece of legislation. I believe all of our people should know, and who should know better than the people who pay the taxes, the taxpayer. I ask you to support this legislation and ask you to vote favorably on it. I think it makes an awful lot of good sense.

On the question recurring,

Shall the bill pass finally,

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—165

Agnew,	Galley,	McCormack,	Rigby,
Anderson,	Gallagher,	McDonald,	Riley,
Arlene,	Garlock,	McInroy,	Rovansek,
Balthaser,	Gelfand,	McKeever,	Royer,
Bell,	George,	McLaughlin,	Rudisill,
Boles,	Gibb,	Machmer,	Sakulsky,
Bonner,	Goldstein,	Mahan,	Scarcelli,
Boris,	Gramlich,	Markley,	Schaaf,
Bower,	Guthrie,	Maxwell,	Schuster,
Branca,	Hamilton,	Meholchick,	Schwartz,
Brenninger,	Heavey,	Mihm,	Seltzer,
Breth,	Helm,	Miller, B. Z.,	Sherman,
Buchanan,	Henzel,	Miller, H. G.,	Shupnik,
Burns,	Hocker,	Mills,	Silverman,
Capano,	Holliday,	Monroe,	Snider,
Capitolo,	Holt,	Muldowney,	Stank,
Cianfrani,	Horst,	Mullen,	Steckel,
Cioffi,	Irvls,	Munley,	Stewart,
Clarke	Jenkins,	Murphy, P. J.,	Stimmel,
Comer,	Jim,	Murray, J. J.,	Stone,
Crossin,	Johnson, A. W.,	Murray, P. G.,	Stoner,
Curwood,	Johnson, R.,	Musto,	Taylor,
Dengler,	Jones, F. R.,	Naugle,	Trusio,
Dennis,	Jones, T. H. W.,	Needham,	Ujobai,
Devlin,	Jump,	Nelson,	Varallo,
Donahue,	Kamyk,	O'Donnell, J. A.,	Varner,
Donaldson,	Kee,	O'Donnell, J. P.	Verona,
Dougherty,	Keiser,	O'Neill,	Walsh,
Down,	Kernaghan,	Parlante,	Wargo,
Ellberg,	Kessler,	Pashley,	Wheeler,
Eshleman,	Knecht,	Perry, H. H.,	Williams, A.D., Jr.,
Ewing,	Kooker,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kovolenko,	Petrosky,	Willaredt,
Fetterolf,	Kubitsky,	Polaski,	Wilt,
Filo,	Lamb,	Polen,	Wood,
Fineman,	Lee, A. M.,	Prendergast,	Worley,
Floyd,	Leonard,	Price,	Wynd,
Flynn,	Limper,	Pursley,	Yatron,
Foerster,	Lopresti,	Reibman,	Yetter,
Fox,	Luigard,	Reidenbach,	Andrews,
Frank,	Lutty,	Renwick,	Speaker
Frascella,	McCann,		

## NAYS—23

Barton,	Fulmer,	Merry,	Weidner,
Bowman,	Goodrich,	Murray, H. P.,	Wescott,
Davis,	Korns,	Odoristo,	Whittaker,



Dennison,  
Edwards,  
Eshback,

Lee, K. B.,  
Lippincott,  
McCandless,

Stroup,  
Tompkins,  
Wall,

Willard,  
Zimmerman,

#### NOT VOTING—20

Ashton,  
Auker,  
Blair,  
Brown,  
Cooper,

Heffner,  
Isaacs,  
Kornick,  
Light,  
Magee,

Moran,  
Murphy, A. J., Jr.  
O'Dell,  
Ogilvie,  
Snare,

Stevens,  
Strausser,  
Sullivan,  
Thompson,  
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### REASONS FOR VOTE

Mr. McCANDLESS filed the following reasons for his vote on House Bill No. 2207.

Mr. Speaker, I wish to file for the record my reason for voting against House Bill 2207.

There is nothing wrong with printing the reimbursement and subsidy on School District Tax Notices, but we have our Auditor's Report each year which sets forth this information.

Our tax card in my district is so filled now, with so many different taxes that to put additional printing on same would cause an increase in size of card, adding extra expense and as an Auditor's Report is published in the local newspaper I feel this requirement is unnecessary and in many districts will cause added expense.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2243 entitled:

An Act amending the act of April 27, 1909 (P. L. 260) entitled "An act providing for the return of all surety of the peace and desertion cases \* \* \* and also providing that bail in such cases shall be taken for an appearance forthwith" changing the time when surety of the peace cases are returnable to court.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, May I interrogate the gentleman from Cameron, Mr. Tompkins, please?

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCORMACK. What is the purpose of this amendment?

Mr. TOMPKINS. This bill is one that I co-sponsored at the request of Mr. Lopresti, and it comes in at the request of the District Attorney's Association.

It provides that a justice of the peace may in surety of the peace cases, hold the matter up for 30 days before he returns it to court instead of returning it forthwith. It gives more or less of a cooling off period to people that have been in a squabble—maybe they will kiss and make up—and keep from cluttering up the calendars of your quarter sessions court so much.

Mr. McCORMACK. Now, is there not a conflict between the first paragraph of Section 1 which requires an immediate return and this amendment?

Mr. TOMPKINS. Wait until I get the bill.

Mr. McCORMACK. The first paragraph requires it to be returned immediately, and this second paragraph, which is new, permits it to be held for a period not to exceed 30 days.

Mr. TOMPKINS. The first portion of that Section 1 you will find, takes in surety of the peace or desertion cases as well, and this provision for a thirty-day period applies only to surety of peace cases and not desertion cases.

Mr. McCORMACK. Then you think that it is all right the way it is written.

Mr. TOMPKINS. I do, yes.

Mr. McCORMACK. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—188

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cloff,	Irviss,	Munley,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Murray, P. G.,	Ujobai,
Curwood,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varnier,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Walsh,
Donahue,	Keiser,	O'Donnell, J. P.	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Weldner,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Eilberg,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,			

#### NAYS—0

#### NOT VOTING—20

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Blair,	Kornick,	O'Dell,	Sullivan,
Brown,	Light,	Ogilvie,	Thompson,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection,

House Bill No. 2273, Printer's No. 1564.

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2314, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929. (P. L. 177) changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitations with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irlis,	Munley,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobai,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varnier,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Walsh,
Donahue,	Kelser,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Weidner,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Eilberg,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lee, A. M.,	Polaski,	Willaredt,
Farabaugh,	Lee, K. B.,	Polen,	Wilt,
Fetterolf,	Leonard,	Prendergast,	Wood,
Filo,	Light,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,			

### NAYS—0

### NOT VOTING—20

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Strausser,

Blair,  
Brown,  
Cooper,

Kornick,  
Light,  
Magee,

O'Dell,  
Ogilvie,  
Snare,

Sullivan,  
Thompson,  
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2317, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell 59.514 acres more or less of land situate in West Chillisquaque Township Northumberland County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—188

Agnew,	Fulmer,	McCann,	Rovansek,
Andersson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irlis,	Munley,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobai,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varnier,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Walsh,
Donahue,	Kelser,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Weidner,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Eilberg,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lee, A. M.,	Polaski,	Willaredt,
Farabaugh,	Lee, K. B.,	Polen,	Wilt,
Fetterolf,	Leonard,	Prendergast,	Wood,
Filo,	Light,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,			

### NAYS—0

### NOT VOTING—20

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Strausser,
Blair,	Kornick,	O'Dell,	Sullivan,
Brown,	Light,	Ogilvie,	Thompson,
Cooper,	Magee,	Snare,	Welsh,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949. (P. L. 30) known as the "Public School Code of 1949" providing for additional payments to certain school districts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STROUP. Several months ago, Mr. Speaker, I believe on June 30, 1959, about 1,900 of our third and fourth class school districts suddenly awoke to find, with great consternation, that the report of revaluation of market values of real estate in the various districts across the state had resulted to them in a penalty of approximately \$7 million in school subsidies from the state under the present formula of law.

This same report, released by the State Tax Equalization Board, also resulted in a gain of approximately \$2.8 million to the school districts of the city of Philadelphia and \$1.5 million to the school districts of the city of Pittsburgh.

House Bill 2322, which we have before us, first of all preserves the gain that enured to the benefit of the school districts of Philadelphia and Pittsburgh, and it attempts to ease the burden of the loss which has consequently been suffered by the majority of the fourth and third class school districts by providing, among other things, that of the loss suffered in the years 1960 to 1961 the state shall reimburse those districts for 75 percent of their loss, and in 1961-62, 50 percent of the loss shall be reimbursed, and in 1962-63 25 percent of the loss shall be reimbursed.

This, insofar as it goes, is defensible under certain circumstances. However, there are many of us on this side of the House, and I suspect possibly on the other side of the House, who do not believe that this is the correct approach to the solution of this problem. We believe that it would be better legislation were we to attempt a moving average for a period of three years, and thereby more equitably distribute to all the districts of the Commonwealth the gain or the loss that would be derived.

We have some legislation, I believe, in this House, presently in the hopper, which makes an attempt in that direction. I believe it is House Bill 2285, sponsored by Messrs. Goodrich, Davis, Weidner and Garlock. This may not be the entire answer, but it is a step in a better direction, in my humble opinion. However, those of us Legislators who represent the school districts that face such serious financial distress, coupled with increased costs as a result of the state Tax Equalization Board report, must of necessity support this administration bill as the best we can get done in this particular Session to bring relief to our school districts.

We can therefore support, Mr. Speaker, House Bill 2322, to some extent reluctantly and with tongue in cheek,

with the hope and desire that some brilliant, perspicacious individual in the other body may see fit to come up with an amendment for a moving average, thereby resulting in a better and more fair distribution of this serious problem to the school districts throughout the Commonwealth. I ask all my colleagues to support this bill with their vote.

Mr. GOLDSTEIN, Mr. Speaker, I was not going to debate this bill, but when my good friend from Bedford County mentioned my home city of Pittsburgh, and my friends from Philadelphia, I felt compelled to answer.

I appreciate the problems of the school districts of the fourth and third classes. I know they have a problem, but this bill is unsound in principle because we are changing the rules in the middle of the stream. Ever since the State Tax Equalization Board system was enacted in this Commonwealth, and as long as it was for the benefit of the rural districts, the board's system was sound, but when the new figures came out this year some people were astonished. My recollection is that the other house made an investigation of the system whereby the new figures were established, and my recollection also is to the effect that the other house stated that the State Tax Equalization Board had done its work in a proper manner and that the net results were proper.

If we have a formula in this Commonwealth, let us maintain the formula. If there are districts in this state which are financially distressed, let us help them out. I will be glad to co-sponsor and help out districts which are financially distressed; but this particular bill will benefit rich districts as well as poor districts, and there is no reason why, I repeat myself, we should change our rules in the middle of the stream.

Let me give you an example. I pick this county out just by way of example. York County will lose \$108,480 in 1960 over 1961; the city of York will gain \$10,620 in that period. What does this mean? It means merely that there has been a migration of residents from city districts to rural areas and that the State Tax Equalization Board has caught up with the transfer. There is a climb in the real estate values in these rural and suburban areas, and I think we ought to stick by the rules. Even though I sympathize with the rural areas, I am going to vote against this bill as a matter of principle.

Mrs. REIBMAN. Mr. Speaker, this legislation before us has as its basic purpose to ease the effect of the recent action taken by the State Tax Equalization Board.

I think it should be made clear for the record that this Board is an independent administrative body established by the Legislature in 1947. It was created as a result of the recommendations of the 1943 School Commission, which made a complete study of the best methods for maintaining and supporting the public school system. Its purpose is to provide for equalization of basic educational opportunities by paying to every school district the difference between the cost of a minimum program and the amount which a school district may reasonably be expected to contribute to its financing.

Based upon this study of the real estate sales and other data which are applied uniformly throughout the state the Board, on June 30, 1959, certified its findings on real estate values for purposes of school subsidy and the effect, unfortunately, has not been favorable to many of our local school districts. However, there has been no evidence



submitted thus far to indicate that the Board did not act in a proper manner or that its action was otherwise than in strict accordance with the law set up by this Legislature in 1947.

We are hopeful that the impact on these affected school districts will be minimized by the passage of this legislation before us, by granting additional subsidies to those school districts so as to make up a percentage of any decrease as follows: 75 percent for the year 1960-61; 50 percent for the year 1961-1962; and 25 per cent for 1962-63. This bill appears to have the support of many responsible individuals whose primary concern is with the basic principle involved, of providing for the equalization of educational opportunities for all school children no matter where they reside in the Commonwealth.

For this purpose, for the reason of supplying equal educational opportunities for every school child in the Commonwealth, we ask that you give your full-hearted support to passage of this legislation.

Mr. McCORMACK. Mr. Speaker, I rise to concur to some extent in what the gentleman from Allegheny, Mr. Goldstein, has said in respect to changing the rules in middle of the game. I think that it was obliquely inferred that something was wrong with the State Tax Equalization Board when, as a result of its certification, Philadelphia received more money.

I have been here since 1953 and I believe this is the first attempt I have heard to discredit the State Tax Equalization Board. They find facts, they deal solely in facts, and I do not think we can dispute them. At the same time I realize the serious hardship that has resulted in the rural districts as a result of these latest certifications, and I think this bill, whether or not it is in agreement with my principles, is a step in the right direction and it is an honest attempt to give an opportunity to the rural districts to recoup their losses. As a Member of the House of Representatives from an urban area, I am going to give by wholehearted support to the bill and vote for it.

Mr. McCANN. Mr. Speaker, House Bill 2322 was not an easy bill to devise, because the minute you start to write this legislation you start to write many millions of dollars.

First, I would like to say that I take exception to the remarks of the gentleman from Bedford that this is a bill which pertains to Philadelphia and Pittsburgh school districts' increase, for the report I have in front of me shows that there are 306 school districts in the Commonwealth of Pennsylvania which receive an increase. That means that the market value behind each teaching unit is reduced, which increases the state subsidy to the school district.

I think one question needs to be answered and needs to be answered fairly. That question is, the law which you have written provides that the school district of any area, upon the certification by the State Tax Equalization Board of the market value of that district, the school board has the right to appeal. I have had the opportunity in my lifetime to be before the State Tax Equalization Board, both the present one and the former board in former administrations, and I think both boards did a sound job in the following manner: they proved their market value.

Your responsibility lies in proving that the market value is not correct. That appeal is there. Many boards

do appeal. Their basic appeal is that this changes their subsidy program, which is true, and they base their appeal on that rather than on the facts.

Let us look for a moment at this piece of legislation, and even though there might be some objection to changing rules in the middle of the stream, as the gentleman from Allegheny, Mr. Goldstein, stated. I believe that he, too, will agree that we are trying to help all the school districts with their financial problems, even though we do change the rules.

If for some reason we did not pass this bill and did not provide this legislation, the State Tax Equalization Board report being now official, certified to and sent to the Department, with that and no legislation, there would be the report that exists in which the school districts that would lose this money, would lose all of it at one time, except for the grace of the Board, the State Tax Equalization Board, which I know many times in the past have been kind enough to divide your losses across either two or three years.

What are we doing by this legislation? To those who get the increase, 306 school districts, we are saying to them your Tax Equalization Board has found the following market value which is correct. Your subsidy increases, and this piece of legislation retains that increase.

To those whose market values increase and subsidy payments decrease, we are saying, we divide this in this manner, as the Chairman of the Education Committee stated so ably, and the gentleman from Bedford, Mr. Stroup said, we are dividing it across a period of time. Each of these periods cost money, but there is one thing I am proud of and I think you should be, too. I have had occasion to discuss this carefully, for in the report my own county agreed, which is certainly a rural county. The report will clearly show that some school districts in my county lose, certain school districts gain, but the true picture is that the market value is correct for the mineral resources that are taken out by the removal of the coal reduces the market value behind the teaching unit. Now then, if this report were incorrect, it would be one thing, but if the report is correct, then, my friends, some of us in some school districts have been riding the gravy train and receiving money that rightfully, by the true market value under the formula we devised, we were not entitled to.

A school whose market value is less is entitled to the additional money and they have every right to receive that money just as correctly as you receive it incorrectly. In this fact many times it has been said that this is only a two-city piece of legislation. This is not true, in any way, and the losses by each county and each school district are carefully outlined, and in a great many cases it is less than one-tenth of one mill against the assessed valuation.

When we worked on this legislation week after week it was easy to write the legislation, easy to write many formulas, except when you came to paying for the formula you were devising. Then you had to find again additional millions to do this thing. I think this is a very sound piece of legislation in which we, in rural counties, have to take rightfully the increased market values behind our teaching units. Those market values are there and we are taking the losses. When we take these losses we are dividing them across these years—



each of these years will cost the state, the Commonwealth, additional funds to do this.

As the gentleman from Bedford, Mr. Stroup, said perhaps it is not the best piece of legislation. I could write one a lot better, and so could you, except when you come to the second point about paying for it, then you have to provide the money and provide the taxes to pay for it, and these tie in together. You cannot get away from the simple fact that we are trying to help those who are hit the hardest to take the losses gradually, and those who rightfully have the additional money they have been denied in prior years, they will get theirs at one time. I think it is a pretty equitable distribution of what we are trying to do and I am certainly pleased to hear that we are going to support this legislation.

I earnestly urge your support, and I earnestly believe we have tried to come up with a solution in which if all of our cities and all of our counties and rural areas are not happy, they are certainly much better satisfied. I think they have every right to be because we are trying to do what is best for the school districts who have the greatest problem in the Commonwealth at the present time.

Mr. A. W. JOHNSON. Mr. Speaker, I realize it is getting late but I feel I should take the floor and bespeak the problem of the rural school districts in Pennsylvania as a result of this action by the Tax Equalization Board.

I know the Majority Leader can stand here and give us a lot of sweet talk about the great things that this bill is doing for the schools of Pennsylvania. This bill is not doing a thing for them except telling them that we are going to leaven the blow and have them take it gracefully over a few years. You just travel the hinterland of this state and talk to the school boards of Pennsylvania, and I think there is absolute chicanery going on under the dome here, with respect to these valuations and they are very, very disturbed at what is taking place.

Many of them have said to me that they understand the big districts have said, well, if we do not get more money by statute, we will get it by administrative rulings. I said to one of them, "What do you mean by that? Well, I do not know. But on July 1 when this report came out it became very evident that big districts were going to get more money. I am not saying that Philadelphia and Pittsburgh had a hand in it, or did anything wrong about it, but the fact remains that the hinterland of Pennsylvania is being unduly crucified by the answers of this Tax Equalization Board. I think that something more should be done about it than this particular bill.

I commend you for it. It is probably all right to try to say to the school districts well, you have got to take the blow inside of four years. Why do you not have a bill on this Calendar that says we will never resist this cute thing you have done over a period of three or four years but not make them take a sock in the jaw right now, or even in the next two or three years. I think something should be done instead of making the school districts take a \$200,000 or \$300,000 loss. It does not seem right that all of a sudden a school district that is valued at, say, a million dollars, becomes worth a million and a half dollars, just overnight. The figures just do not seem realistic to me.

You say the school district can take an appeal. I know you say you have been down here, but you take a big school district that has five or six different schools in it

and they want to file an appeal. They say to their solicitor, well now, file an appeal. All right, the law is that you have got to come down here and when you appeal you must have grounds for your appeal, you have to point out the manner in which the Tax Equalization Board was wrong. Show me any school administrators back in the hinterlands who can tell their lawyers what is wrong, whether it is right, or whatever valuation is right or wrong. All they know is that their valuation has been made about 30, 40, 50, 60 percent more than it was the year before. They cannot say down here, well, you have raised me 50 percent more, but that is not enough. I think the law should be changed so the Board, when they present that valuation, should bill each school district with particularity on how they arrived at the increased valuation. They should send it out so that then the school boards can sit down and say, well now, they arrived at it this way. Maybe they are right.

But right now, all over Pennsylvania, they are pretty mad and they are pretty disturbed about it and, believe me, they are blaming the Democratic Tax Equalization Board for it and do not think they are not. I think you should have here today something better than you have given to us, something that would freeze it for a year or two because the average school district is up to 45 mills.

Last week we had a meeting up-state and they said to me, well, how are we going to make up this deficit? I said, you are going to have to put it on the people back home. They said, we already levy 45 mills and we have a \$15 per capita tax. How are we going to do it? I said, file an appeal. On what? We do not know what to file the appeal on. They said, it is up to you people down in that Legislature to give us some relief. I said, I am hoping before this Session is over that we do that very thing.

I listened to what you said, Mr. Majority Leader. Maybe this is not an easy thing for us, but the people back home do not think so. They are looking for us to do more than that. They are not griped about Philadelphia and Pittsburgh getting more money, their costs have gone up and they probably need that money, but they do not see any reason why they have to be short-changed so that Pittsburgh and Philadelphia can get it. So, understand me perfectly, I am not against Philadelphia and Pittsburgh getting more money, because I know what their problem is. I think Philadelphia's budget is pretty near \$100 million for the schools in that city alone, and we eventually have to help them out some way, but I do not think it should be done to the detriment of our country school districts who absolutely do not have the money today to shoulder this burden.

We should pass some lasting legislation here, we should change horses in the middle of the stream. There is nothing wrong with changing horses in the middle of the stream when we are on the wrong horse, I will tell you that. Therefore, while I am going to vote for the bill it is just a piecemeal thing for our schools. I think you could have done much, much better.

Mr. McCANN. Mr. Speaker, may I interrogate the Minority Leader, Mr. Johnson?

The SPEAKER. Will the Minority Leader permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, the gentleman from Mc-



Kean, Mr Johnson, will stay in his backyard since he ought to know it best. You have three third class school districts. . . .

#### POINT OF ORDER

Mr. A. W. JOHNSON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. A. W. JOHNSON. Mr. Speaker, I feel this way about this type of interrogation. I have listened to the Majority Leader when we get up to debate something, then a personal reference is made. Mr. Auken got up the other day and honestly wanted to debate the bill having to do with panic repairs. He did not like a couple of riders in the bill. He immediately was told, well, Altoona gets a lot of money out of this bill, and that put him in a very bad light, so I do not feel what is going on in McKean County, which he is going to bring up, should be brought up at this time. When I debated the penny gas tax I do not think it should have been brought up.

The SPEAKER. Will the gentleman state distinctly his point of order?

Mr. A. W. JOHNSON. My point of order is that I do not feel that it is proper cross-examination to interrogate any Member of this House who takes an objective review of a situation, to personalize the debate and pin it down to his home district. I do not think that is fair.

The SPEAKER. The Chair would advise the gentleman from McKean, as he very well knows, that he need not consent to be interrogated, but if he does consent to be interrogated, then he is in no position to pass judgment upon the questions that are asked.

Does the gentleman from McKean consent to be interrogated?

Mr. A. W. JOHNSON. On the basis of the overall picture of the problems statewide, and not a personalized question. Therefore, I will not answer a question with respect to my own county, that is right.

The SPEAKER. The gentleman can refuse to answer any question that is asked, as he very well knows.

Mr. McCANN. Mr. Speaker, the gentleman knows that I have never had a mean streak in my life, and I am not going to begin today.

The SPEAKER. The points raised by the Minority Leader on which the Chair has been required to rule are very, very important and will form a part of our records.

The Chair wishes to repeat, when a Member consents to be interrogated and he does not like the question he is at liberty to say, I decline to answer. The Chair would further say, to make the point, that the Majority Leader would be privileged to refer to a specific instance in my county, in Cambria County, or McKean County or in Armstrong County or in any other county that he chooses to point to.

Mr. A. W. JOHNSON. Mr. Speaker, may I make a clarifying statement?

I feel this way, after all I am more or less the spokesman for this side of the House as Minority Leader and when I put forth a position I feel that I am speaking for a large number on this side. I realize that sometimes I do personalize and talk about meetings I have attended and things like that and maybe I transgress also.

I feel as a matter of principle on both sides we should refrain from personalizing situations because we should look at things objectively rather than in a subjective manner.

Mr. McCANN. Mr. Speaker, my questions will certainly not be in that light.

The SPEAKER. The Chair would suggest to the Majority Leader, since in all probability he has before him the answers to the questions he might desire to propound, that he simply answer the questions himself.

Mr. McCANN. Then I would like to ask the gentleman from McKean, without staying in his own district—I felt confident he knew his own area pretty well—the following questions if he can tell us.

In the Senate of Pennsylvania there was a committee that investigated the State Tax Equalization Board Report, and I believe he received a copy of the letter addressed to the Honorable Robert D. Fleming, Chairman of the Republican Caucus Chairman. At the conclusion of that investigation and hearing, did he have any information that would indicate that the State Tax Equalization Board did anything but what they are directed to do by the law under which they operate?

Mr. A. W. JOHNSON. Mr. McCann, I am sorry, I do not remember. If I got the letter, I do not remember receiving it, and I do not recall any statement made on the other side about this matter. I really do not.

Mr. McCANN. Mr. Speaker, I bring to his attention that the letter was mailed under date of July 24, 1959. A copy was sent to the gentleman—it indicates Honorable Albert W. Johnson, Minority Leader. I believe that is correct.

I ask the gentleman, then, if in his travels he has found this indication that the State Tax Equalization Board has done anything in error, and what his recommendations may be to correct that which they are required to do by law under which they were formulated to operate by this General Assembly?

Mr. A. W. JOHNSON. Mr. McCann, all you can do with the state of the law is this. You will notice that there are some drastic changes in valuations this year over last year, and it miraculously affects almost seventeen hundred of the districts, I believe. You said some three hundred would get more money and that would mean that seventeen hundred would get less. I am just bespeaking the entire school board directorship in the state who got this report. They are wondering how come, how could they do it; what unusual thing has occurred which will create such an outstanding shift and change statewide? That is the only answer I can give you.

Mr. McCANN. Mr. Speaker, will the gentleman tell us from his knowledge of at least three of the basic things the State Tax Equalization Board must do in making necessary changes in his county or any other county. How do they get their information? How do they compile the information, and what is the source of their records?

Mr. A. W. JOHNSON. The gentleman knows Mr. Speaker, it comes from the court house. You put the revenue stamps on your deeds, and it is \$1.10 per thousand, that is how they get the consideration; that is correct. The recorder of deeds I believe it is, makes up the report and sends it down here. Then from that data they have a type of moving average they use. I do not know how



they do it, but they come up with some answer.

Mr. McCANN. Mr. Speaker, then the gentleman will agree that the basic information originated in his own school district, in his own county, and that the report may change, and whether it is up or down, the information came from official documents that they are directed and forced to use because they are submitted to them. Is that correct?

Mr. A. W. JOHNSON. The basic data comes from your courthouse. All it shows is the federal stamps. That is the criterion, and I do not know but what they now also use the real estate transfer stamp.

Mr. McCANN. That is correct. I thank the gentleman very kindly.

Mr. Speaker, I just wanted to bring to the attention of the Members of this House, and I am sure many of the Members are quite well acquainted with it, the system the State Tax Equalization Board uses and has used since its inception. I believe the Act created the Board in 1947, and they have done considerable work in the market values of the various school districts.

I believe the bill, as I stated before, does a very fine job. I would like to do a lot more, and so would many other people, but the report is a proper report. Every school district has the right of appeal, and there is information and facts that their solicitor can certainly secure in helping to back their claim if the market value increases or decreases are incorrect.

Mr. STROUP. Mr. Speaker, ladies and gentlemen, I shall be very brief and I ask your tolerance for just a moment to answer some of the questions which the Majority Leader has propounded.

In the first place I can not accept the fact that the work of the Tax Equalization Board is completely valid. As I recall, the Board was created in 1947 and implemented in 1952. The real estate evaluation was established in 1952, and I am reliably informed, and I believe the report to which the Majority Leader refers establishes that from '52 to '57 the only change in market valuations were on and off property assessments in the various localities.

Then in 1957 they come up, after a period of five years, with market valuations. If I am correct, I believe there was approximately a valuation of about \$38 billion across the state. I believe the Board came to the conclusion that this was excessive, and without any single basis whatsoever, took 15 percent across the board, and there it was, which favored the metropolitan areas and hurt the rural areas. Then we come up with the valuation in 1958 and after compiling the figures over a period of five years, suddenly, it was slapped upon these districts and the valuation was completely changed and the load hits it all at once. I do not think they found the proper procedure. Now while I realize they have a certain course of procedure set up and they set forth what that procedure is. If they receive certain reports from the county commissioners and recorder's office as to sales made in the area, they send their men in there to make certain spot checks and this is the process they use, and to some extent they can validate what they do.

Nevertheless, if you go before that board for appeal, whose decision is final, you cannot compel them to produce the records of how they arrived at the value. You can only show the value that you have to try to counter-

act those values. I say the Board's verdict should not be final insofar as appeal is concerned, but that is where the law rests today.

Perhaps it may be that the Tax Equalization Board does not have the facilities to do the job that it should do, I do not know. But I do say this and I do so without censoring them too much, but I do say this, the problem that faces this Legislature is not being attacked in the right way. We need to take some measures, at least, a moving average that will ease the burden upon our school districts. I think that is the answer to it. We do not have such a bill before us, Mr. Majority Leader. We are doing the best we can and I am ready to go along with it. But, I do maintain and go back to my original premise, that if we had a moving average we would ease this result of increased or decreased depreciation in market values, increase or decrease in market values upon our school districts, so that it does not cost our citizens so much, all at once, and, incidentally, cost the state so much insofar as subsidy is concerned.

I also take issue with this statement—then I shall cease my talk on this. That it is going to cost us much more money. In the budget for the Department of Public Instruction, I think Mr. Polen will bear me out, there was \$7 million set up on the present formula and the \$7 million now they do not have to pay. There was no provision for this \$4.5 million, probably in the neighborhood of \$8 million in two years in the biennium that goes to the other districts which is a gain to them. So we have arranged mathematically to use what we have in the public school budget and use it gradually without it costing more to the state in the next biennium. I think that is the answer to the present bill and the reason it has worked out this way mathematically.

I perhaps brought this situation upon the floor of the House because of my original talk upon this particular measure. I think it is the only thing we can do at the present time. Our districts are desperately in need of help and I ask all Members of the House to support the bill.

Mr. EILBERG. Mr. Speaker, I think a word should be said about the situation in Philadelphia. There have been some references to the amount of money that Philadelphia will benefit by through the recent action of the Tax Equalization Board.

Believe me this matter has been receiving great attention in the city of Philadelphia. A thorough recent study indicates that in order to subsist the Philadelphia Board of Education must have \$13 million more next year. The situation in Philadelphia today is desperate. We have tremendous overcrowding in classes. We are in vital need of books and other equipment. We have many schools that are over 50 years old. The Members can well imagine the tremendous problems that arise out of the maintenance of such buildings. We have the development of vast areas of our city where new schools are necessary. We have the situation where many youngsters of school age are unable to go to school because the facilities just are not there. One of the most serious problems is the flight of the school teachers from the city of Philadelphia. We have a very low salary scale. Surrounding counties and other school districts around the state and outside the state are attracting school teachers, away from the city.



I say to you, that the \$2 million or so that we will benefit by is a very small part of the \$13 million that we need to just subsist next year. I would remind you, that Philadelphia has 20 percent of the population of the state, and presumably we have 20 percent of the problems, so that we, many of us, in Philadelphia feel very much in need, not only of the amount of money that we will benefit by, but millions of dollars more.

Mr. SHERMAN. Mr. Speaker, unfortunately I realize that it is 7:30 and we should have quit half an hour ago. Perhaps if some of the men who spoke for the last half hour had ceased speaking they would have made a greater impression rather than the few words of wisdom that they did utter, besides a lot of baloney and pre-election propaganda that we have heard on the floor of the House today.

One thing that has come out on the floor if nothing else—

The SPEAKER. The gentleman will stay within the bounds of the dignity of this House.

The gentleman will proceed.

Mr. SHERMAN. If nothing else has come out on the floor of this House today, at least we know there is a Tax Equalization Board in existence. A few years ago when the other party was in the majority did they do anything in regard to the Tax Equalization Board? Nothing whatsoever, and at that time they knew that the Tax Equalization Board was a proper group and body. They did not call the Democratic party or the Republican party, as perhaps one of the previous speakers has mentioned, because as long as you favored certain districts they were bound to have such things as Tax Equalization Boards and as long as they have been riding the gravy train for six or eight years, it was proper for those districts to do so. But, when, lo and behold, we have a bill on the calendar here that gives one dime to Philadelphia or the city of Pittsburgh, yes, the city of Philadelphia and the city of Pittsburgh come in for criticism. Why, I do not know.

The Tax Equalization Board has been mentioned before the Supreme Court of our Commonwealth and has been highly praised, and now why has it been taken in deference to the word of the lower court and other groups who have gone out and appraised property?

Originally when this bill was on the calendar I did not expect to go for it, neither did a good many from our large city areas, but we, in turn, do feel the plight not only of the city of Philadelphia, which is seeking \$11 million, of which it is sorely in need, and we hope the rural areas will go along when a bill of this kind is on the calendar, but we thought that the rural areas should be taken care of in some way or other. After a lot of thought, in wisdom I agreed and other men to go along. With what? With a bill that does not give a dime to us, but helps the rural areas, and what are we doing? We come in for a lot of criticism in an attempt to help you.

I can say, since the hour is floating, that the Tax Equalization Board has come in for constructive criticism, good criticism, by both the other side and ours and the Supreme Court of this state. We have benefited you, the rural areas, and we expect you to benefit us when the time comes. I will go along with this bill because I feel that the rural areas are sorely in need, and yet not a dime, I stress again, in coming to the city of Philadel-

phia, or the city of Pittsburgh by the passage of this bill.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—187

Agnew,	Fulmer,	McCann,	Rovansek,
Anderson,	Galley,	McCormack,	Royer,
Arlene,	Gallagher,	McDonald,	Rudisill,
Balthaser,	Garlock,	McInroy,	Sakulsky,
Barton,	Gelfand,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Helm,	Mihm,	Snider,
Breth,	Henzel,	Miller, B. Z.,	Stank,
Buchanan,	Hocker,	Miller, H. G.,	Steckel,
Burns,	Holliday,	Mills,	Stewart,
Capano,	Holt,	Monroe,	Stimmel,
Capitolo,	Horst,	Muldowney,	Stone,
Cianfrani,	Irvis,	Mullen,	Stoner,
Cioffi,	Isaacs,	Munley,	Stroup,
Clarke,	Jenkins,	Murphy, P. J.,	Taylor,
Comer,	Jim,	Murray, H. P.,	Tompkins,
Crossin,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Curwood,	Johnson, R.,	Murray, P. G.,	Ujobai,
Davis,	Jones, F. R.,	Musto,	Varallo,
Dengler,	Jones, T. H. W.,	Naugle,	Varner,
Dennis,	Jump,	Needham,	Verona,
Dennison,	Kamyk,	Nelson,	Wall,
Devlin,	Kee,	O'Donnell, J. A.,	Walsh,
Donahue,	Kelser,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kernaghan,	Odorisio,	Weldner,
Dougherty,	Kessler,	O'Neil,	Wescott,
Down,	Knecht,	Parlante,	Wheeler,
Edwards,	Kooker,	Pashley,	Whittaker,
Ellberg,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Filo,	Lee, K. B.,	Prendergast,	Wood,
Fineman,	Leonard,	Price,	Worley,
Floyd,	Limper,	Pursley,	Wynd,
Flynn,	Lippincott,	Reibman,	Yatron,
Foerster,	Lopresti,	Reidenbach,	Yetter,
Fox,	Luigard,	Renwick,	Zimmerman,
Frank,	Lutty,	Rigby,	Andrews,
Frascella,	McCandless,	Riley,	Speaker

#### NAYS—1

Goldstein

#### NOT VOTING—20

Ashton,	Fetterolf,	Moran,	Stevens,
Auker,	Heffner,	Murphy, A. J., Jr.	Strausser,
Blair,	Kornick,	O'Dell,	Sullivan,
Brown,	Light,	Ogilvie,	Thompson,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 143 on page 15 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 143, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare.



On the question,

Will the House agree to the bill on third reading?

Mr. LOPRESTI asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 2302), page 4, line 3, by striking out "not."

Amend Section 2 (Section 2303), page 5, line 10, by inserting after "Commonwealth," "as defined in this article."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 375 on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 375, entitled:

An Act amending the act of April 6, 1951 (P. L. 69), entitled "The Landlord and Tenant Act of 1951" exempting additional property from execution by landlord for non-payment of rent.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 403), page 3, by inserting between lines 10 and 11: "(12) All construction, industrial and mining machinery and equipment."

Amend Sec. 1 (Sec. 403), page 3, line 12, by striking out "and."

Amend Sec. 1 (Sec. 403), page 3, line 12, by inserting after "11." "and (12)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

The remaining bills on the calendar not considered were passed over at the request of Mr. McCANN.

#### REPORTS FROM COMMITTEE

Mr. LAMB from the Committee on Cities—Counties

Second and Second Class A, reported as amended, House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

Mr. RENWICK from the Committee on State Government, reported as amended, Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

Mr. McCORMACK from the Committee on State Government, reported as committed, House Bill No. 2030, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), excluding municipal corporations and their agencies from the jurisdiction of the commission as to rates and services when such utility services are furnished outside the corporate limits.

Mr. CLARKE from the Committee on Cities—Counties Second and Second Class A, re-reported as committed, House Bill No. 1813, entitled:

An Act relating to cities of the Second Class A in relation to the publication of ordinances or resolutions and the drawing of money from the city treasury.

#### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2030, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), excluding municipal corporations and their agencies from the jurisdiction of the commission as to rates and services when such utility services are furnished outside the corporate limits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

#### BILLS INTRODUCED AND REFERRED

By Messrs. MIHM and BOWER. HOUSE BILL No. 2361.

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), making technical changes and clarifying language.

Referred to the Committee on Appropriations.

By Messrs. MIHM and BOWER. HOUSE BILL No. 2362.

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), making technical changes and clarifying language.

Referred to the Committee on Appropriations.

By Messrs. POLEN, ANDREWS, HELM,

SNIDER, BELL, McCANN and

BONNER.

HOUSE BILL No. 2363.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on

the Public School Employes' Retirement Board; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. BOWER, MIHM and POLEN.

HOUSE BILL No. 2364.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employes' Retirement System; creating a special fund in the custody of the State Treasurer; imposing duties on the State Employes' Retirement Board; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. POLEN, HELM and McCANN.

HOUSE BILL No. 2365.

An Act amending the title and the act of June 24, 1919 (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, \* \* " providing for the purchase or rental of electric roll call and public address systems and other equipment for the respective Houses of the Legislature.

Referred to the Committee on Appropriations.

## SENATE MESSAGE

### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

An Act prohibiting the packaging delivery or sale of certain plastic bags unless a warning is attached thereto and imposing a penalty.

Referred to the Committee on Law and Order.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WORLEY. RESOLUTION (Not Printed)

In the House of Representatives, September 9, 1959.

John Hartman Basehore, age 55, died September 4, 1959.

Born in Seven Stars, Pennsylvania, Mr. Basehore resided in Gettysburg most of his life. He graduated from Gettysburg High School and attended the Pierce School of Business Administration and the University of Pennsylvania.

Mr. Basehore was the Manager of Adams County Credit Bureau and was a member of the Gettysburg fire and police departments.

Mr. Basehore, always active in public affairs, served Gettysburg as Borough Treasurer and Justice of the Peace. In addition to his other civic duties, he was the Adams County Republican Chairman for 16 years, and was called by President Eisenhower "my county chairman during political meetings in Gettysburg." He was chairman when the President was first elected in 1952 and in 1956 attended, as a delegate, the Republican National Convention where he served with distinction.

The Elks, Moose, Eagles and Lions of Gettysburg were all proud to have the name of John Hartman Basehore on their active rolls and St. James Lutheran Church lost a Sunday school teacher of thirty years standing when he died; therefore be it

Resolved, That the House of Representatives express its heartfelt sympathy to the friends and family of John Hartman Basehore during their hour of loss and bereavement.

Referred to the Committee on Rules.

By Messrs. HELM and GUTHRIE.

RESOLUTION (Not Printed).

In the House of Representatives, September 9, 1959.

On Thursday, September 3, 1959 the West Penn Power Company which supplies power to a large area in the western part of the State made a great advancement when they dedicated a new substation in Reesedale, Armstrong County.

The company spent 49 million dollars in the erection of this giant facility which is to be known as Armstrong station. The expenditure of such a large sum of money by a private utility certainly evidences the faith that the company has in the growth of our Nation and our State.

For three days the company had an open house at the site of the substation and the hundreds of people who toured the area were thrilled by the magnitude of the operation. The residents of the vast area supplied by West Penn are thankful for the foresight shown by the company since the new operation will undoubtedly aid the economy of the region; therefore be it

Resolved, That the House of Representatives commend the West Penn Power Company of Greensburg, Pennsylvania for the faith they have shown in the ever growing economy of our State and for the place in which to live and work; and be it further

Resolved, That a copy of this resolution be sent to the President of the West Penn Power Company at Greensburg and to the local district manager at Reesedale, Armstrong County.

Referred to the Committee on Rules.

## SENATE MESSAGE

### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 66.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

## SENATE MESSAGE

### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 2, 1959.

Resolved (if the Senate concurs) that House Bill No. 1305, Printer's No. 1245, entitled "An act amending the act of June 25, 1947 (P. L. 1145) entitled as amended 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' empowering townships of the second



class to levy assess and collect certain additional taxes under the provisions of said act," be recalled from the Governor for the purpose of amendment.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 3, 1959.

Resolved (if the Senate concur), that House Bill No. 1528, Printer's No. 1131, entitled "An act amending the act of April 29, 1959 (P. L. ) No. 32 entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' providing for the issuance of registration plates for suburban motor vehicles and prescribing the fee thereof" be recalled from the Governor for the purpose of amendment.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered as follows:

HOUSE BILL No. 1383.

An Act providing for the regulating of the propagation of domestic mink in captivity and providing penalties.

HOUSE BILL No. 1437.

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) defining the term "business" providing for the change of location from one county to another and designating the persons to sign an application to amend the certificate.

HOUSE BILL No. 1945.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

HOUSE BILL No. 2162.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

HOUSE BILL No. 2219.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

HOUSE BILL No. 2315.

An Act amending "The Hotel Occupancy Tax Act" approved March 6, 1956 (P. L. 1256) increasing the rate of tax.

With the information that the Senate has passed the same without amendment.

### COMMITTEE MEETINGS

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Muldowney, Chairman, Room 131-A, Thursday, September 10 at 11:30 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Thursday, September 10 at 10:00 a.m.

WELFARE, Mr. Kamyk, Chairman, Room 331, Thursday, September 10 at 11:00 a.m. daylight saving time.

### ADJOURNMENT

Mr. BOWMAN. Mr. Speaker, I move that this House do now adjourn until Thursday, September 10, 1959 at 11:00 a.m. E.S.T.

The motion was agreed to, and (at 6:41 p.m. E.S.T.) the House adjourned.

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Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., THURSDAY, SEPTEMBER 10, 1959.

No. 90.

## SENATE

THURSDAY, September 10, 1959.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, Rev. ELWOOD F. REEVES, JR., Pastor of Duncannon Presbyterian Church, Duncannon, offered the following prayer:

Our Heavenly Father, we thank Thee for Thy protection through the night which has passed and that Thou hast brought us together again to continue the work of governing this Commonwealth. We thank Thee for the blessings Thou hast showered upon us as a people, so that for most of us there is plenty to eat, comfortable homes in which to live, and pleasures to enjoy. Make us ever mindful of those less fortunate and grant us a desire to share with them the blessings we have received from Thy hands.

Guide the President of the United States and those associated with him in the conferences which are soon to take place, so that peace, with justice, may prevail.

Bless the boys and girls as they return to school and our young people as they return to college. Guide the teachers as they train the young minds which are entrusted to their care.

Bring an end, we pray Thee, to disputes between capital and labor. Guide the leaders of opposing groups to recognize what is fair and just for each other and for the public, and the willingness to accept it.

We ask Thy blessing upon our Governor. Guide him and those associated with him in carrying out the laws of the Commonwealth and administering its affairs.

Grant Thy guidance to this Body before Thee now, the Senate of the Commonwealth of Pennsylvania, as they deliberate. May they be conscious of Thy divine presence with them. Grant them the wisdom to know what is best for our people and the courage to follow Thy guidance.

We ask it in the Name of Thy Son, Jesus Christ, Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr.

PROPERT, further rereading was dispensed with, and the Journal was approved.

## HOUSE MESSAGES

### SENATE BILL No. 379 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

### SENATE BILL NO. 835 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children, youth and adults, defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on Monday's Calendar.

## HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 926, entitled:

An Act authorizing the Pennsylvania Department of Property and Supplies, acting for the Commonwealth of Pennsylvania, to acquire by gift from the Borough of Northumberland, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestly.

Which was committed to the Committee on Rules.

House Bill No. 1853, entitled:

An Act amending the "Oleomargarine and Butterine Law," approved June 30, 1947 (P. L. 1154), by adding and redefining terms and increasing fees.



Which was committed to the Committee on Rules.

House Bill No. 2084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

Which was committed to the Committee on Rules.

House Bill No. 2165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the application for an issuance of hotel restaurant and club liquor licenses.

Which was committed to the Committee on Rules.

House Bill No. 2175, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), validating certain unions of school districts.

Which was committed to the Committee on Rules.

House Bill No. 2207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

Which was committed to the Committee on Rules.

House Bill No. 2230, entitled:

An Act making an appropriation to the Department of Public Instruction to provide funds to implement a program of community college education throughout the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 2243, entitled:

An Act amending the act of April 27, 1909 (P. L. 260), entitled "An act providing for the return of all surety of the peace and desertion cases, \*\*\* and also providing that bail in such cases shall be taken for an appearance forthwith," changing the time when surety of the peace cases are returnable to court.

Which was committed to the Committee on Rules.

House Bill No. 2314, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission; removing certain limitation with respect to moneys in the Historical Preservation Fund, and creating certain moneys collected by the commission to such fund.

Which was committed to the Committee on Rules.

House Bill No. 2317, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell 59.514 acres, more or less, of land situate in West Chillisquaque Township, Northumberland County.

Which was committed to the Committee on Rules.

House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

known as the "Public School Code of 1949," providing for additional payments to certain school districts.

Which was committed to the Committee on Rules.

### BILL SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

Senate Bill No. 66, Printer's No. 1339.

SENATE CONCURRENT RESOLUTION, SERIAL No. 113, REPORTED FROM COMMITTEE AND ADOPTED

Mr. BERGER, from the Committee on Rules to which was referred resolution offered by Messrs. WADE, BERGER, PROPERT, EHRGOOD, SEYLER, HAYS and WEINER on June 8, 1959, reported the same without amendment, as follows:

### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY PUPIL TRANSPORTATION

In the Senate, June 8, 1959.

Pupil transportation is the subject of vital interest and concern throughout the Commonwealth and is a matter of great importance to the General Assembly of Pennsylvania concerning which it requires comprehensive factual information; therefore be it

Resolved, (The House of Representatives Concurring), That the Joint State Government Commission be directed to study and investigate the field of pupil transportation with particular emphasis in the area of transportation by school buses; and be it further

Resolved, That the Joint State Government Commission report to the next session of the General Assembly in its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Mr. BERGER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

### BILLS INTRODUCED AND REFERRED

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 1165, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law," further providing for superannuation retirement allowances.

Which was committed to the Committee on Rules.

Messrs. KELLER and HAYS read in place and presented to the Chair Senate Bill No. 1166, entitled:

An Act amending the act of June 1, 1959 (Act No. 77), entitled "Public School Employees' Retirement Code of 1959," further regulating contributions on account of past service.

Which was committed to the Committee on Rules.

Messrs. HAYS and SEYLER read in place and presented to the Chair Senate Bill No. 1167, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," including the Oil and Gas Conservation Commission as a departmental

administrative commission in the Department of Mines and Mineral Industries.

Which was committed to the Committee on Rules.

### PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, on behalf of the entire Senate, I would like to offer a resolution, on behalf of the Members, offering condolence to the family of the late Senator John J. McCreesh who, at the age of eighty-three, died yesterday.

Senator McCreesh was a Member of this Senate for more than twenty years. His place was taken in this Body by his son. We have all missed him. He was a tower of strength in our Caucus. We relied heavily upon him for his sage counsel. He was quite a helpful Member while serving here in the Senate.

In his latter years, he suffered an illness and, therefore, was unable to come here. He had a rather serious operation a few months ago. He was always looking forward to attending one of the Sessions when his son was here, serving as a Senator. Unfortunately, time has prevented him from doing so.

Therefore, Mr. President, it is with honor and respect that this Body would like to offer their condolences to the members of Senator McCreesh's family. I am sure that we will all feel the loss of the late Senator McCreesh.

This resolution is sponsored by myself and Senator Berger, on behalf of all of the Members of the Senate.

### SENATE RESOLUTION

#### CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF THE LATE SENATOR JOHN J. MCCREESH

Messrs. WEINER and BERGER, on behalf of the entire Senate Membership, offered the following resolution (Serial No. 62), which was read as follows:

In the Senate, September 10, 1959.

Former State Senator John J. McCreesh passed away Wednesday, September 9, 1959, at his home at 4202 Walnut Street, Philadelphia, Pennsylvania, at the age of 83.

John J. McCreesh was born in County Armagh, Ireland, in 1881, attended public schools there, and came to Philadelphia at an early age where he became engaged in the garage and real estate business. Senator McCreesh first became interested in politics in 1926, and in 1928 he organized a campaign for Governor Alfred E. Smith of New York, running for President. He was elected to the Pennsylvania State Senate in 1934 and served through 1946; was re-elected in 1950 and served until 1958, when he retired.

Throughout the more than twenty years that John J. McCreesh served as a Member of the Senate of Pennsylvania, he capably and consistently worked for legislation for the betterment of his constituency and Pennsylvania as a whole. Among the many laws which he was instrumental in enacting were the blind pension bill in 1935, phases of the workmen's compensation act of 1937, the weekly day-off bill for Philadelphia policemen, the Sunday polo bill, and the Commodore Barry Day bill.

In our many years of association with John McCreesh, we learned to honor and respect him as a gentleman and a devoted public servant. His long and outstanding service will serve as an inspiration for all of us, and especially for his son, Senator Thomas P. McCreesh, who is now carrying on in his fathers' footsteps; therefore be it

Resolved, That the Members of the Senate of Pennsylvania pause a moment in memory of our late colleague

and express our most sincere sympathy to his loved ones upon their recent loss and bereavement; and be it further

Resolved, That a copy of this resolution be presented to Senator Thomas P. McCreesh as the representative of the survivors of John J. McCreesh.

### SENATE RESOLUTION, SERIAL No. 62, ADOPTED

Mr. WEINER. Mr. President, I move the immediate adoption of this resolution.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was unanimously adopted.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 699, Printer's No. 1367, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON FINAL PASSAGE OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 233, Printer's No. 733, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 2031 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 2 of today's Final Passage Calendar, House Bill No. 2031, Printer's No. 1283.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 2031, entitled:

An Act amending the act of May 4, 1927 (P L 519), entitled "The Borough Code," increasing the amount of contracts in which borough officials may have no interest.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I believe we discussed this bill at some length yesterday. I would just like to add, however, that I feel this is bad legislation in so far as we have recognized that there are certain problems in small contracts dealing with \$300, where people might have an adverse interest or a duality of interest. The only thing we are doing here is recognizing that there is a



duality of interest and raising the amount which they might have an interest in, from \$300 to \$600.

I feel this is the type of thing which could possibly lead to corruption. I feel we should have stricter legislation, rather than raising the amount. As I stated yesterday, we must recognize the fact that inflation is taking place all along the line. Therefore, even where corruption is concerned, there might be some opportunity of raising this rate to allow for that type of error.

Therefore, Mr. President, I ask my colleagues to vote "no" on this legislation.

And the question recurring,  
Shall the bill pass finally?

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2031, Printer's No. 1283, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### HOUSE BILL No. 467 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 5 of today's Third Reading Calendar, House Bill No. 467, Printer's No. 823.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 467, entitled:

An Act amending the act of May 3, 1923 (P L 134), entitled "An act making the proceedings of the conventions of the Deperaments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution," including the Italian American World War Veterans of the United States Incorporated among the veterans organizations entitled to the printing of convention reports.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Kopriver, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### HOUSE BILL No. 470 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 6 of today's Third Reading Calendar, House Bill No. 470, Printer's No. 236.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 470, entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps and for the compilation an preservation of records relating to such soldiers sailors marines and members of the enlisted nurse corps and their burial places by county commissioners at the expense of the counties and imposing certain duties upon persons firms corporations and municipalities owning and controlling cemeteries conferring certain duties on the Department of Military Affairs," authorizing the Italian American World War Veterans of the United States Incorporated to gather and file data concerning burial places of persons who have served in the military naval or other combative forces with the county commissioners or city commissioners in cities of the first class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Kopriver, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### HOUSE BILL No. 471 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 6 of today's Third Reading Calendar, House Bill No. 471, Printer's No. 237.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 471, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting imitating selling or offering to sell the labeled artificial flower of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 578 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 6 of today's Third Reading Calendar, House Bill No. 578, Printer's No. 1573.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 578, entitled:

An Act amending the act of May 3, 1933 (P. L. 242), entitled "Beauty Culture Law," changing eligibility requirements for examination.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,

Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarrafi,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### SENATE BILL No. 971 CALLED UP

Mr. BERGER. Mr. President, I call up out of order, from page 8 of today's Third Reading Calendar, Senate Bill No. 971, Printer's No. 1383.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees' Retirement Code of 1959," changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances and further providing for computation of withdrawal allowances for members of Class E who served on the Supreme or Superior Courts.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Barr,	Harney,	Miller,	Stevenson,
Berger,	Keller,	Mullin,	Stiefel,
Blass,	Kessler,	Murray,	Taylor,
Camel,	Koprivier, Jr.,	Pechan,	Van Sant,
Chapman,	Kromer,	Propert,	Wade,
Confair,	Lane,	Ripp,	Wagner,
DiSilvestro,	Madigan,	Rooney,	Walker,
Donolow,	Mahady,	Ruth,	Watkins,
Ehrgood,	Mallery,	Sarrafi,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	

#### NAYS—3

Hays,	Kalman,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### SENATE BILL No. 1051 CALLED UP

Mr. BERGER. Mr. President, I call up out of order,



from page 9 of today's Third Reading Calendar, Senate Bill No. 1051, Printer's No. 1249.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1051, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the sale of starter pistols to minors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILLS APPEARING ON PAGE 10 OF THIRD READING CALENDAR CALED UP

Mr. BERGER. Mr. President, I call up, out of order, all bills appearing on page 10 of today's Third Reading Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1089, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees in connection with motor vehicles.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Regional Business Development Credit Corporations to assist, promote and encourage through their institutional and corporate stockholders, the development of property and advancement of business and economic welfare of various regions of the Commonwealth, prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, before we pass this legislation, I thought it would be proper for me to make a short statement in regard to it, and what the Legislature is trying to do.

Most of you know that quite a few years ago, we passed legislation creating a revolving industrial fund, with the purpose of promoting industry in Pennsylvania. At that time, quite a number of the Members on both sides of the Senate felt that we should have an industrial credit corporation in order to utilize private finances and bring about possibly a greater industrial expansion here in Pennsylvania.

Senate Bill No. 1093 creates eight regional industrial development corporations. The eight regions are patterned somewhat after the bank setup here in Pennsylvania. We feel, by passing this legislation and thereby permitting the various companies and corporations to invest in these industrial corporations, that there is a great possibility that we may expand industry here in Pennsylvania.

Therefore, before we pass this legislation, I want to give credit to the Members on both sides of the Senate for their splendid cooperation in working out the details of this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration to Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in shares of business development credit corporations.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in State and regional business development credit corporations.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elllott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## SENATE BILL No. 1131 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 11 of today's Third Reading Calendar, Senate Bill No. 1131, Printer's No. 1354.

The PRESIDENT. Is there objection? The Chair hears none.



### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1131, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing for additional payments to certain pensioned or retired employes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### HOUSE BILL No. 1544 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 12 of today's Third Reading Calendar, House Bill No. 1544, Printer's No. 874.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1544, entitled:

An Act amending the act of April 23, 1909 (P. L. 141), entitled "An act providing for the use of borough and township lockups and city or county prisons for the detention of prisoners arrested by sheriffs, constables, members of the State constabulary or other persons authorized by the laws of the Commonwealth to make arrests and entitling boroughs, townships and cities to receive remuneration for the same," increasing daily compensation of certain boroughs, cities and townships from the county treasury for each prisoner incarcerated.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.,	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarra,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### REMAINING BILLS ON TODAY'S THIRD READING CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Third Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

### SECOND READING CALENDAR

#### SENATE BILL No. 187 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 15 of today's Second Reading Calendar, Senate Bill No. 187, Printer's No. 201.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 897 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 18 of today's Second Reading Calendar, Senate Bill No. 897, Printer's No. 1052.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 1102 CALLED UP

Mr. BERGER. Mr. President, I call up, out of order, from page 20 of today's Second Reading Calendar, Senate Bill No. 1102, Printer's No. 1400.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing for the appointment of special school police defining their powers and duties and providing for their compensation by the school district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### REMAINING BILLS ON TODAY'S SECOND READING CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

#### PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, I have been listening to a great deal of debate during this Session on whether we should or should not have radar.

The position of the Administration has been, and many of the experts that have knowledge in this field have taken the position, that this would be wise and would certainly be helpful in providing safety on our highways. With that in mind, I have taken the trouble to speak to some of the members of the Department of Revenue who deal with the problem of safety, and they have advised me that we would need only about twenty units of radar to be installed in automobiles. Station wagons, or anything of that nature, would not be necessary. These units would cost approximately \$1,500 apiece.

I think simple arithmetic will show that if we expend between \$35,000 and \$40,000, we can get this program off to a good start, and actually be able to do some good if the radar units are of value.

I think we have to determine two things: First, we ought to make a test to see if the radar units actually are helpful and, secondly, if they are, I think we ought to install them at this rate. The Legislature, in its wisdom, can look at the amount of money that can be spent in this area so that we are not off on a wild goose chase.

I have heard other persons, members of the other party, on television and in the newspapers, make comment about the use of radar, and they have cited figures that ran

into millions of dollars that this program would cost. I do not know where they have obtained their figures. I do know where I have obtained mine. If I am incorrect, I would be very happy if they would correct me, and also cite the source of their information in order to provide a correct set of figures. If their figures are incorrect, I think they should use the same means they used in putting out the original incorrect figures to correct the misimpression they may have placed in the public's mind.

I believe this past Labor Day weekend should be indicative to all of us of the insane slaughter that is going on on the highways. If this radar will save even a single life, it will be worth the \$40,000 that we will invest in it. If it will not save a single life, even if it costs only \$200 or one dollar, we should not expend State money in that direction.

It behooves us to at least find out where we are in this program and where we must go, so that we can act intelligently on this situation. To take a negative attitude that we will not do anything about it, or that there is some person who has an interest in this area and, therefore, we should not look into it any further, is very shortsighted, and it is something that the people of this Commonwealth will not stand for.

I, therefore, would like to suggest to the Chairman of the Highways Committee, the Senator from Cumberland, Mr. Wade, that he take some appropriate steps to have his committee, or perhaps a subcommittee might be the answer, look into this matter. If he feels this is not a proper area for his committee to look into, I suggest that the President pro tempore of the Senate appoint a committee to look into this problem so that we can report back to this Legislature and, perhaps, take action before this Session ends and we are through here maybe for another two years.

Mr. WADE. Mr. President, I think the gentleman has raised a proper question, except perhaps he has overlooked the fact that you, the Presiding Officer, Mr. President, in your wisdom, referred the bill to the Committee on State Government.

The PRESIDENT. I was about to remind him of that fact, too, sir.

Mr. WADE. However, Mr. President, I want to report that prior to the referring of that bill, and since the last Session, our Highways Committee did make rather comprehensive studies. I want to remind the gentleman that I said on the Senate floor sometime ago that there is nothing provided in the budget for the cost of radar, be it \$40,000 or \$4,000,000.

Of course, many questions have been raised. One of them is the fact that we would not, under the Constitution, be privileged to give it to the State Police and not to all police officers of the Commonwealth who are endeavoring to do the best job they can in solving the highway traffic fatality problem.

Then, too, at a prior meeting of this Body, I brought to the attention of the Members the experience that I had gathered from other States or the reports from other States. None of them seem to be enthusiastic about it. In this connection, I would like to read into the record a few of the problems brought up by the Governor's Conference, under the title of Highway Safety. I read:

"Practically all of the messages dealt with the subject



of highway safety. Some set forth comprehensive programs. Other subjects that received particular attention were driver licensing, highway patrols, point system, driver education, highway engineering, tests for alcohol, penalties and enforcement and organization for traffic control."

"From all of the experience we have been able to gather from other States, they are not at all enthusiastic regarding the use of radar or the adoption of radar.

As a matter of fact, I call the attention of the Members to the fact that in Virginia, the year after they adopted and put radar into use, their traffic fatality record went up one full point per hundred million miles traveled.

Our record is good in Pennsylvania. Nothing has been brought before the committee or the special study committee of the Joint State Government Commission in the interim, between the last Session and this Session, that would prove that radar is the effective method that some purport it to be. As a matter of fact, the State of Connecticut reports that they only have four radar sets, which are all antiquated and are used almost exclusively for counting traffic.

The radar bill, I repeat to the Minority Leader, is not in the Highways Committee. We have gathered a good bit of information, and are firmly convinced that it is not nearly the traffic safety prevention instrument which it has been purported to be in some quarters. Of course, the fact that the present Highway Safety Director was interested in radar at some time in the past is not to be debated here.

The thing we are all striving for is better highway safety, and the thing that I think we overlook at times is the fact that our record in Pennsylvania is excellent. We can never hope to reach the time when there will not be traffic fatalities. When you have 70,000,000 moving vehicles on the highways of America, you are just bound to have some accidents and some fatalities.

I join with the gentleman in the hope that we find a solution whereby we can cut the record of fatalities in two, or reduce it very substantially. However, I am sure that our studies, if the gentleman would care to look over them, the Joint State Government Commission report and the other information that I have gathered as Chairman of the Highways Committee would not substantiate the claims of those in the Bureau of Highway Safety in the Department of Revenue.

Mr. WEINER. Mr. President, I was going to congratulate the gentleman for having finished his speech without mentioning the Director of Highway Safety. However, at the last moment, he could not control himself. Although no names were mentioned, we certainly knew about whom he was speaking.

I merely suggested not that this bill was the answer to the problem, but I merely called upon the Chairman of the Highways Committee if he thought it was proper to look into this problem, that we do so. However, he has made it so abundantly clear that he is opposed to this matter that I doubt whether he could be an impartial judge in looking at this matter in an objective vein. I think it is a matter for us, as a Commonwealth, and us, as the advisory board, to look into this problem and, perhaps, have a demonstration. It might prove that what the gentleman from Cumberland, Senator Wade, says is absolutely

correct, and maybe we should not worry about this problem any longer.

However, we should not take other States' statistics because they do not happen to coincide with the problem which we have in Pennsylvania. For instance, in the State of Connecticut, I doubt if there is any point from its Capital which is more than ninety miles away; whereas, in Pennsylvania, we have a different type of problem. Even the State of New Jersey, which is a flat State and has very few mountainous areas, does not cope with some of the problems which we do on our highways. The fatalities are much greater on their Turnpike than we have on ours due to the construction of that type of a highway.

I do not agree with the gentleman that the local police are our problem at the moment. There are many things which the State Police use in solving crime and directing traffic that the local police do not have. The local police must either buy equipment separately or cooperate with other areas. For example, the police surrounding the Philadelphia area call upon our Philadelphia police unit for certain material and certain knowledge that they have which the small units do not have.

Therefore, Mr. President, I think our only concern is with the State Police and the State highway system. At least, I think we should take a look at this problem before we leave here, without having to completely rely on statistics and experiences of other areas which may not have any connection with ours. As the gentleman well knows, statistics are awfully misleading. You can make figures say anything you want them to say, depending on the criteria you use or the result you are seeking. Therefore I do not think that is the simple thing which should motivate us. We should direct our attention to our particular problems.

Mr. WADE. Mr. President, I should like to inform the gentleman that I have observed, firsthand, radar experiments to the extent of possibly ten or twelve. I have never avoided an opportunity to see radar in use. I have taken a number of the members of the Highways Committee, two years ago, to see it in operation. I am certain that none of the members who watched and observed it were satisfied as to its accuracy.

Again, Mr. President, I repeat that we are all intensely interested in this matter of highway safety. So many of our citizens use the highways and so many man-hours are devoted to traveling on the highways that it must be of importance to all of us. As a matter of fact, we are the most mobile people in the world, during our age or generation. The roads we have provided for the motorists to travel over have been used more than anyone ever experienced in the past. It is pretty conclusive evidence, I think, if you observe these reports, that the best highway safety measure that can possibly be adopted is good, sensible, well engineered highways.

Mr. HAYS. Mr. President, my topic is not radar, but the achievements of a radiant county.

About a month ago, I reluctantly called to the attention of the Senate that at the time "Miss Centre County" was selected as "Miss Pennsylvania," there were two types of counties in the Commonwealth; namely, static counties where the people in the counties are all right, but their background is such that they have kind of a backward look, and also progressive counties. There are other counties, of course, that have this vibrant forward look.



Once more, Mr. President, I want to call your attention to the fact that the State had a plowing contest and a man from Centre County, Ira D. Whitman, won the State Plowing Contest. It is one thing to win a plowing contest, which is important, but what is plowed under is also important. In this case, the representative from Franklin County was plowed under in second place and the representative from York County, where the contest was held, was plowed under in third place.

Therefore, Mr. President, while we are wishing "Miss Centre County" an achievement at Atlantic City this week, our best wishes go to Mr. Ira D. Whitman, of Centre Hall, as he competes for the State of Pennsylvania for the plowing championship of the United States.

Mr. VAN SANT. Mr. President, I would like to point out to the good Senator from Centre County that we are justly proud in Lehigh County of this young lady, because all of her official photographs for the contest in Atlantic City were taken in the city of Allentown, in Lehigh County. The fact that she came through and tied for first place in talent last night, I think is due largely to the influence of photographers in Allentown.

The PRESIDENT. I think that was well worth hearing, Senator Van Sant.

Mr. LANE. Mr. President, I have before me an Associated Press release, dated September 8, from Frankfort, Kentucky. I would like very much to have a transcript of my remarks, and the subject matter that I am going to read into the record, referred to the Department of Highways.

This AP release is headed with these words:

"Kentucky has First Highway of Soft Coal

"2,000 Tons Needed For Each Mile of Experimental Road

"Kentucky today laid the first strip of highway using a coal-base mixture.

"The history-making project—if proven successful could create a greatly expanded market for the coal mining industry.

"Nearly a mile stretch of U. S. 460 east of Frankfort was paved with the new material as 100 state officials and representatives of Curtiss-Wright Corporation watched.

"Curtiss-Wright developed the coal-base road paving binding using bituminous coal rather than tar material now used in bituminous surfacing. The work was done at its Quehanna, Pa., plant.

"A pilot plant at the State Highway Department garage here was dedicated today by Gov. A. B. Chandler and Dr. Minard W. Stour, vice-president of Curtiss-Wright.

"The binder is produced by digesting lump coal in coal tar. It would use between 2,000 and 2,200 tons of coal per mile of highway surfacing.

"Officials believe the cost likely will be slightly higher than for the material now used but they believe less maintenance will be required.

"They also say the surface will be less slippery and not as subject to extreme temperature changes as present materials are.

"Engineers will lay other strips using every possible situation to determine if the new product is feasible for resurfacing and original surfacing of all types of roads."

Last but not least, I want to say this. The article further says:

"Representatives from West Virginia, Colorado, Missouri and Nova Scotia attended the ceremonies."

However, there was no one from Pennsylvania.

Several months ago, Mr. President, I made a statement on the floor of this Senate that should this road binding be feasible, it would be a godsend to the people of western Pennsylvania, because we have thousands of coal miners unemployed, people that are willing to work. I call upon the Highways Department to review my remarks, and to also get in contact with the State of Kentucky. Let us get something on the road in regard to doing something for those unemployed in western Pennsylvania.

The PRESIDENT. The Senate will be at ease, awaiting a communication from the House of Representatives.

(The Senate was at ease.)

## HOUSE MESSAGE

### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 762

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, September 9, 1959.

Resolved (if the Senate concur), That House Bill No. 762, Printer's No. 435, entitled:

An Act amending the act of June 25, 1913 (P. L. 555), entitled "An act providing for the regulation of dams, or other structures . . . projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; . . .," authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chairs hears none.

Messrs. WEINER, EHRGOOD, DiSILVESTRO and BERGER read in place and presented to the Chair Senate Bill No. 1168, entitled:

To promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization, membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to



borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1170, entitled:

An Act amendig the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in notes and bonds of the Pennsylvania Housing Agency.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

Which was committed to the Committee on Rules.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, September 14, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:30 o'clock, a. m., Eastern Standard Time, until Monday, September 14, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

THURSDAY, September 10, 1959.

The House met at 11:00 a.m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

### PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, we need to turn to Thee in quietness and peace. For, in the words of the Psalmist we read, "Be still and know that I am God;" and in the words of Jesus we share: "Come unto Me all ye who labor and are heavy laden, and I will give you rest." In these moments of meditation we pray for strength and guidance for these dedicated servants, so that the laws which are enacted here may be for the betterment of the people of this Commonwealth and in accord with Thy will. Through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, September 9, 1959 will be postponed until printed.

The Chair hears none.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. REIDENBACH asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

### BILLS INTRODUCED AND REFERRED

By Mr. GALLAGHER. HOUSE BILL No. 2366.

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), providing that the amount retained by registers of wills in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties.

Referred to the Committee on Rules.

By Mr. GALLAGHER. HOUSE BILL No. 2367.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing that the commission allowed to recorders of deeds in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties; and requiring recorders of deeds to act as such agents.

Referred to the Committee on Rules.

### RESOLUTION

RECALLING HOUSE BILL NO. 762  
FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

(In the House of Representatives) September 9, 1959.

Resolved (if the Senate concur), that House Bill No.

762, Printer's No. 435, entitled "An act amending the act of June 25, 1913 (P. L. 555) entitled 'An act providing for the regulation of dams or other structures or obstructions as defined in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, in the Pittsburgh Post-Gazette of September 8, 1959, I find the following news article, headed \$100,000 Set For Study of School Costs, State Probe to Aid In Planning Sound Education Economy:

What does it cost for that familiar yellow bus to take Johnny to school each day?

That is only one of the statistical facts that state research experts will be studying during the 1959-60 school year in a \$100,000 survey of eight areas of school costs and education administration.

Governor Lawrence said in a week-end statement that the result of the survey would be more careful planning and elimination of wasteful expense at all levels of education.

The principal value of this kind of research is developing the ability to make sharper forecasts of school needs, both in the lower grades and colleges, the Governor added.

The Public Instruction Department already has committed \$40,000 to the program and expects to allocate another \$10,000 after the 1959-61 budget is approved by the Legislature. The Federal government matches the money under the National Defense Education Act.

Mr. Lawrence said the statistical studies would look into:

1. Projected costs for education in school districts and colleges during the next decade.

2. The perpetual school building inventory on age of buildings, fire insurance ratings, site sizes and special facilities.

3. Transportation costs, including cost per pupil per year, cost per mile, cost per hour.

4. The number and types of schools in operation.

5. Staffing and expenses of county superintendents offices.

6. Enrollments by grades of non-public, non-Catholic schools and their teaching staffs.

7. Data on post graduation activities, of high school students, based on I. Q. and high school course, for use in planning college facilities.

8. The reporting procedure by which high schools forward statistical data to the department.

The department, meanwhile, reported that 73 formerly independent school districts have been swallowed up by mergers and consolidations.

However, the new total of 2,277 school districts still is far above the goal of 534.

We have a continuing sub-committee of the Joint State Government Commission on problems of education. They have made many studies and published many reports, are staffed and organized to tackle the job. Money is appropriated to them to pursue these studies. They work with



Members of the General Assembly together with an advisory group.

Now Mr. Speaker, among the studies on which there are public reports by this Joint State Government Commission are many of the items listed in this proposed study. Here is one on per pupil cost on vocational and general education program in the public schools. Here is one on public school transportation, which they are asking to be looked into. Here is one on public school attendance areas, which they are asking to be looked into. Here is one on public school buildings subsidies. Here is one on Pennsylvania high school seniors, which is the projected information they are asking for in connection with what happens to students when they get out of high school, what their I. Q.'s are and so fourth. That was just published and released to this General Assembly in this Session. Here is one on the findings and recommendations of the committee on post high school education, and one on school health services.

Now Mr. Speaker, would not this \$100,000 be but a duplication of moneys being spent for the same purpose?

I suggest that the Department of Public Instruction and the Governor's office make themselves familiar with these published reports and if then they find out they need study on additional matters that they have an organization already established to do so.

Just because Federal funds are available for the payment of a part of the costs does not mean that a separate, duplicate study must be made. After all, Federal funds also come out of the taxpayers' pockets.

With all the money that is needed for our schools, why should we spend \$100,000 to duplicate services? And may I ask, just where is all this money coming from?

I know many school districts in this Commonwealth that could be helped with this \$100,000, especially in panic repairs in order to avoid double daily classes.

That information is needed on the subjects enumerated is not denied, but to spend double money to obtain it is unjustified and inexcusable in this day of high and skyrocketing government costs.

Mr. McCANN. Mr. Speaker, I believe the gentleman from Cameron, Mr. Tompkins, has very well brought out the points that were outlined in the Pittsburgh Post-Gazette pertaining to the proposed conference dealing with the educational subjects that will be presented to this group.

Those studies that have been completed by the Joint State Government Commission are quite familiar to many of us, and some have had a part in them, being present when some of these studies were undertaken between the last Session and the present Session. The reports which have been published have, of course, been sent to every Member of the General Assembly. But I ask the gentleman if this \$100,000 expenditure may not provide a great savings in information and education when these people who are a part of this conference come up with their report?

Let us take, for instance, as you say, the transportation report as presented by the Joint State Government Commission. There is no question that it is there. There is no question of their findings in the report. I think one of the things that you and I have certainly discussed on transportation, and rightfully so, over many months, is the fact that when legislation is proposed in one field, we

will say a field in which the Department of Public Instruction would have the right to refuse the construction of new school buildings, it runs into a rough situation when the transportation is the important problem. You can build in an area in which you would have to transport every single person in that school district, or you could build the school building in a school district where you transport a part of the students; the others would be in walking distance. This becomes a rather local problem in which the local people say, we want to build the school house here because the other land costs more money. But the local people do not say that when we build the building in one area and transportation costs are involved in transporting all the students, we transport all of the students forever and stand the costs.

I think this study is well worthy, and even though this study will be conducted by a group of people in all walks of life—school directors, laymen, educational people—and they will be a part of this conference—I think it is well worthwhile for us to see what their report may bring to light, to see if they agree with our findings in the Joint State Government Commission. Duplication, if you say it is so, would be duplication in the sense that they are studying the same subject, but could you assure me at any time that their findings and recommendations would be the same as the Joint State Government Commission reports that we were a part of and that are in the possession of every Member?

I believe it is well to have these fields in education. I cannot see how there can be too many important conferences and studies in the field of education, for we are now at 50¢ out of every \$1 in the general fund for a part of education costs.

Will we not be, in a few short years, at the cost of \$1 billion a biennium for education? You and I, or whoever comes here in the next Session and the Session following that, are pretty well committed by law to increase costs in education; there is no question of that.

There is also no question, in regard to the county superintendents' offices, that we have now a county superintendent's office in every county in Pennsylvania. That we have had for 104 years. That is when they were established, and that is the way they operated, and rightfully so. They did a very fine job. Should not we study carefully the costs that we expend in this field? The \$100,000 we spend for the study may well produce a savings of many millions if we can eventually agree upon a consolidation of school districts, not by local districts, but perhaps by county units into districts. We have had this subject before the General Assembly at least three times in prior Sessions. When we had this item of consolidation, as we called it of county districts, we have had a very difficult time agreeing on how to consolidate.

I believe this study merits the help of all of us, and I believe the \$100,000 expenditure is a very wise expenditure at this time. You are assuming that this group will meet and that their reports will be the same on those subjects as have already been covered by Joint State Government Commission task forces in past Sessions.

Mr. Speaker, I wholeheartedly approve the idea of the conference. I wholeheartedly believe that the expenditure is a mediocre sum of money dealing with subjects that certainly are a major portion of the cost of Department of Public Instruction.



Mr. Speaker, I believe conferences of this type will eventually help to educate the people of this Commonwealth to the needs of education, and to the fact that we must certainly get in Pennsylvania a dollar's worth of service for every dollar we spend, that wisely we spend the money. This is one field of increased cost that we will continue to live with, and continue to support, and we should certainly be trying to support the best possible position from every type of report that can be presented to the General Assembly. I believe that in other newspapers of Pennsylvania there have been editorials and news stories relating to this matter, and their support of this position certainly speaks well for this conference.

Mr. TOMPKINS. I agree with everything the Majority Leader says with one exception. There is question about it, the more information we can get on our educational problems, the better able we as Members of the General Assembly are going to be to approach the solution to the problems. But in our Joint State Government Commission they have advisory groups consisting of educators, school directors and school teachers who sit with them on these problems. The Joint State Government Commission over the years has piled up a tremendous volume of research material on this and I am wondering why they cannot be called upon for their information in this field, and to supplement it with further studies by a staff already organized, rather than have to duplicate the cost for the same information by a separate advisory group such as has been recommended.

The SPEAKER. Does the gentleman from Armstrong, Mr. Helm, desire to be recognized at this time?

Mr. HELM. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Armstrong.

Mr. HELM. Mr. Speaker, I have perhaps an unusual request, but I would like to ask the Speaker if he will vacate the Chair for some interrogation?

The SPEAKER. Will the gentleman from Armstrong inform the Chair of the nature and subject of the interrogation?

Mr. HELM. Mr. Speaker, I have a matter of very great importance to this Commonwealth, and I think the Speaker is the person who can answer the questions.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Floyd, to preside temporarily.

MR. FLOYD IN THE CHAIR.

### INTERROGATION

Mr. HELM asked and obtained unanimous consent to interrogate Mr. Andrews.

The SPEAKER pro tempore. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, the gentleman tried to put me on the spot by getting me to tell him what I wanted to interrogate him about. I want to apologize to the gentleman, because in all fairness over the years that I have served with him he has never pulled the element of surprise on me, and I hesitate to do it on the gentleman from Cambria, Mr. Andrews. But, Mr. Andrews, I would like to ask you if the date of September 12 has any particular significance to you?

Mr. ANDREWS. An unhappy memory.

Mr. HELM. Will the gentleman state what that memory is?

Mr. ANDREWS. At a meeting last evening I expressed the opinion, when they were talking about museums, that I no longer went in to museums because the curator looked at me out of the corner of his eye as though he were measuring me for stuffing and filing as an antique.

Mr. HELM. I believe the gentleman has told you without any question that the date of September 12 does mean something to him, that it is his natal day. Will the gentleman inform this House where the gentleman from Cambria, Mr. Andrews, was born?

Mr. ANDREWS. Troy Grove, Illinois.

Mr. HELM. I was unable to hear the gentleman.

Mr. ANDREWS. A place called Troy Grove, Illinois, the birthplace of Wild Bill Hickock.

Mr. HELM. I have been informed, Mr. Speaker, that there was some mixup as to the gentleman's birthplace, that it had been certified to the federal government that he was born in the State of Maine, and I just wondered how he wandered so far away from that great tradition of the state of Maine always going Republican.

Mr. ANDREWS. I would be very interested in those federal documents that can locate me in the state of Maine the day after I was born and very few days since.

Mr. HELM. I thank the gentleman from Cambria, Mr. Speaker.

The reason I requested that he leave the Chair is because I know that he does not like presenting a resolution on behalf of any birthday in this House. We now have him out of the Chair and, Mr. Speaker I ask unanimous consent of the House to offer the following resolution, and for its immediate consideration.

Mr. ANDREWS. Do I understand that the gentleman from Armstrong asked unanimous consent?

Mr. HELM. I did, Mr. Speaker.

Mr. ANDREWS. I object.

Mr. HELM. I am sure the Chair will not recognize any objection on the part of the gentleman from Cambria.

### RESOLUTION

#### CONGRATULATIONS

Messrs. HELM, A. W. JOHNSON and McCANN, asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted by a rising vote as follows.

In the House of Representatives, September 10, 1959.

The Honorable Hiram G. Andrews, Speaker of this House of Representatives, now serving his tenth term as representative from the first legislative district of Cambria County, will celebrate his birthday anniversary on Saturday, September 12, 1959.

Mr. Andrews, by his long and distinguished service, has earned the profound esteem, regard and affection of the entire membership of this House of Representatives. His high standards of public service, fine knowledge of the purposes of legislation and keen understanding of legislative procedure, as well as his outstanding ability to put into language the position taken by himself and his party upon issues facing this body, have marked him as an exemplary and distinguished personage who will long be admired and cited as an outstanding Pennsylvania and notable American.

Those who have worked with Mr. Andrews will long appreciate him as a person and ever remain keenly aware of the privilege of having shared the problems confront-



ing Pennsylvania State government with a person so deservedly and widely recognized as an authority on those problems.

In the position he formerly held as floor leader of his party, Mr. Andrews was always clear in stating his position and forceful in pointing out the good or objectionable features of proposed legislation. His commentaries did much to bring about legislation which, when enacted, was clear, precise and effective in carrying out the purposes for which it was intended.

In his present position as Speaker of this House of Representatives, Mr. Andrews has shown such eminent qualities of fairness, keen knowledge of issues confronting him, and fine leadership in attaining full and thorough discussion, that he has set new standards of statesmanship in the handling of parliamentary proceedings; therefore be it

Resolved, That this House of Representatives hereby extends its greetings and good wishes to Mr. Andrews on his birthday anniversary and expresses the sincere desire of the entire membership that he may long continue to serve his district and this Commonwealth by contributing his great wisdom and keen understanding to the future legislative endeavors of this House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Hiram G. Andrews.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Ladies and gentleman of the House of Representatives, I am deeply honored to rise today on behalf of Section 1 to pay tribute on the forthcoming birthday of our beloved Speaker, Hiram Andrews. Everyone in section 1 hopes that Mr. Andrews may spend many more years as a member of this House, although there is a difference of opinion as to whether he should be the Speaker for these years.

A review of Mr. Andrews' distinguished life recalls another Horatio Alger story here in the United States. His life parallels that of a great Republican, Abraham Lincoln. Lincoln started from a humble beginning in a log cabin and ascended to the Presidency of the United States. Our own Mr. Andrews began his career in Harrisburg caucusing in telephone booths because he was an independent. He has now ascended to the Speakership of this distinguished House.

We here in section 1 since it is his birthday, and the custom of our great country is to present a token or a gift on a birthday, had our committee meet and deliberated on an appropriate birthday gift. The first suggestion was that we take a collection and give to Mr. Andrews a sum of money; however, the observation was made, with Senate Bill 309 in the offing that money would be no consideration for Mr. Andrews.

Then it was decided that perhaps a book of knowledge would be an appropriate thought; however, the observation was also made that Mr. Andrews, from his many comments in "Dispelling the Fog," has achieved great wisdom, and you only read books to achieve more learning, which is impossible for Mr. Andrews to do. This, of course, was negated, but I will say that the committee vote was not unanimous in that respect. Then we decided that since it looks like we are going to be here for a long, long, time, perhaps Thanksgiving Day or Christmas, and that if Mr. Andrews sits there day after day, or stands, at the Speaker's chair with something protruding from his mouth, but never any aroma of smoke coming from this protrusion, perhaps we would help our Speaker out and give to him a gift which we feel is needed. If you look at

the Speaker you will see him many times putting matches to this instrument that protrudes from his mouth, but never once have we smelled the aroma of good Lancaster brand tobacco. So we decided this day that the most appropriate gift for a man in his station of life was another prince, Prince Albert in the can, and the matches for his pipe.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, it is my pleasure on behalf of Section 2 to likewise speak briefly on the birthday of our good Speaker, whom we all revere here today for his birthday on this coming Saturday.

We discussed this matter in committee likewise, as did the gentleman from Schuylkill, Mr. Heffner, and arrived at a somewhat similar decision, that in case this Session should go beyond the Thanksgiving Day which he has just mentioned and on into the coming year, he would perhaps need additional tobacco for that pipe of his.

Therefore, it is my pleasure on behalf of Section 2 to present further smoking material.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I rise as the representative of the most outstanding section of the four sections in this House.

We in Section 3 also want to convey our very best wishes for a happy natal day and sincere hopes for many, many happy returns. We are thrilled to be able to join in this resolution, although we know that Mr. Andrews thinks such resolutions are a lot of folderol, because to a man and to a woman he has earned the esteem, the respect and the love of each of us.

We want to mark in some small way materially our observance of his birthday, and we, too, were pressed with the problem of just what to present. We have decided upon this tin of Prince Albert smoking tobacco. Perhaps we have made this decision because we feel that it is so appropriate a gift. The advertisement about Prince Albert says that it is slow to burn, much like our distinguished birthday boy; it is of long life and is long lasting, yet it is mild. We hope, Mr. Andrews, that you will extract as much pleasure in the smoking of this tobacco, and in the lighting of same with these Ohio Blue Tip matches, which are the kitchen matches with living room manners, as we have had in procuring same for you.

The SPEAKER pro tempore. The Chair recognizes from Fayette, Mr. Snider.

Mr. SNIDER. Mr. Speaker, I have been honored to speak in behalf of Section 4. I have always been very happy to take part in any birthday celebration, particularly this one today. This is a birthday celebration honoring one whom we all admire and respect very much, one affectionately known to all of us as "Hi."

It has been said so many times that one does not get old. Well, perhaps that is true when we are speaking of advanced age, but in this case I would like to say that people do not get old any more. Just about a year and a half ago they quit that, but that is particularly true in the case of our good friend "Hi" Andrews, the Speaker of the House.

I would like to say that I am very happy to go along with the other sections of the House and augment with



some more smoking tobacco because "Hi," as you know, always has with him something to use in a pipe, smoking tobacco.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, certainly they have given the Speaker of this House a sufficient supply of tobacco and the type of matches he uses to light that pipe. So you need not worry, I am not going to give him another can of tobacco.

On behalf of all the Members of this House I want to present to him something in which he can use that tobacco. So at this time I will ask the page boy if he will deliver this to the Speaker of the House at his desk.

Mr. Speaker, I think at this particular time it would be very appropriate if we have our music master, the gentleman from Delaware, Mr. Dengler, lead us in singing "Happy Birthday" to the Speaker of the House.

(Members joined in singing "Happy Birthday").

Mr. HELM. Mr. Speaker, I suppose you have all noticed that during the singing of "Happy Birthday" to the Speaker, he was presented with a birthday cake on which there was no figure as to his age. I am going to take the privilege of saying to everyone that I am sure the Speaker will welcome you all coming down to get a bite of his birthday cake.

Happy Birthday, Mr. Speaker!

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews, Speaker of the House.

Mr. ANDREWS. I would judge from the sentiments expressed that there has perhaps been some revision of some views expressed concerning me in times past, because I assure you that upon occasion I have been called other things. You know the farmer trying to lead a calf across the bridge couldn't do it. A neighbor came up in an automobile and said, "I'll toot the horn, and that will drive the calf across the bridge." He gave the horn a big toot; the calf jumped over the side of the bridge into the creek. And the man said, "You have to agree that was an awfully loud toot for a very, very little calf."

To say that these observances do not move one is a mistake. I think the observances themselves are a mistake, but I cannot deny that they stir emotions and they stir memories. During the twenty years of service in this House one accumulates memories that you carry with you, that you think about, that come up as you work at whatever you may be working.

Over the years I have had a growing and abiding interest in the welfare of this House. I have seen many changes, many improvements made possible by the efforts not of the masses in this House, but by a smaller group, persons without anything to gain themselves. The gentleman from McKean is a member of that group, the gentleman from Northumberland conspicuously, the Member who has been interested in retirement, Mr. Mihm, the gentleman from Cameron, and, occasionally, the Member from Dauphin, whose help we have always cherished when we were able to get it.

So a goal has been achieved in the coming of the electric roll call. A goal was achieved when the compensation of the Members was raised. A goal was achieved when we gained an increased status as a coordinate

branch of this government. There is much to be done before we achieve the stature that we should have.

I would be very much interested if this Legislature, this House, established the salary for the Members of this House as \$6,000. What about per diem? I am not concerned. A General Assembly will convene in due season, and if the Members of that General Assembly cannot see their way clear to vote for themselves the per diem compensation to which Members of this House who do their work are entitled, if they do not do this, I am not going to labor this Session to do it for them.

I hope that when the next General Assembly convenes—I would like to see the \$6,000 a year salary established now—there will be action taken to assure the working Members a per diem, and I hope that by that time we will be working during the interim among the committees, and that we will be paid for the time we spend. Now we have already consumed a lot of time.

You know quite a number of years ago Zeke went to town in an Indiana village and Martha was with him. They went into a drug store and there was something new there. Zeke asked what it was, and the druggist said "That's a sody water fountain." "Well, what does it make?" "Why, it makes sody water." "What does it cost?" "It's a nickel a glass." "Well, come on, Martha, have one." Martha said, "I'll have nothing to do with no new-fangled stuff." "Well," Zeke said, "I'll take one." So the druggist made him a glass full of soda water. He took a sip of it, and turned around to Martha and said, "Martha, come on and have one; it ain't nothin' but sweetened wind."

Now I am sure that back of the extravagant praise you have voiced today there was more—it wasn't sweetened wind, and through it all there was, I hope and I believe, the strain of sincerity. It was an awfully big toot for a little calf, but I assure you that I appreciate it, and I hope that come another Session I at least may be present in an advisory capacity.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, I think it also very appropriate that we should recognize another birthday that is being celebrated today, and I am sure if this gentleman needs a pipeful of tobacco he will be able to get it from the Speaker of the House. The gentleman from Juniata, Mr. Zimmerman, is today celebrating his birthday. Mr. Dengler, let us sing "Happy Birthday" to Les.

("Happy Birthday" was sung by the Members).

The SPEAKER pro tempore. The Chair recognizes the gentleman from Juniata, Mr. Zimmerman.

Mr. ZIMMERMAN. Mr. Speaker, I suspected a little bit of this. I only want to add that I hope when I am the age of the Speaker I am as worthy of recognition as the Speaker is of the recognition accorded him here today. Thank you very much.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been



prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1383.

An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties.

#### HOUSE BILL No. 1437.

An Act amending the "Fictitious Name Act," approved May 24, 1945 (P. L. 967), defining the term "business," providing for the change of location from one county to another and designating the persons to sign an application to amend the certificate.

#### HOUSE BILL No. 1945.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending, revising, consolidating and changing the laws relating thereto," further regulating qualifications of elected county surveyors providing an office allowance for seventh and eighth class county surveyors.

#### HOUSE BILL No. 2162.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), regulating credit for pension for previous employment by the city other than in the Bureau of Police and pensions of employees employed within the Bureau of Police for less than five years and further regulating pensions of reinstated members.

#### HOUSE BILL No. 2219.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employees and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-nine and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-nine.

#### HOUSE BILL No. 2315.

An Act amending "The Hotel Occupancy Tax Act," approved March 6, 1956 (P. L. 1256), increasing the rate of tax.

#### SENATE BILL No. 66.

An Act amending the act of June 23 1931 (P. L. 932) entitled "The Third Class City Code" changing the provisions relating to bond required in awarding contracts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 9, 1959.

Resolved (if the Senate concur), that House Bill No. 762, Printer's No. 435, entitled "An act amending the act of June 25 1913 (P. L. 555) entitled 'An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth

vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" authorizing the construction and repair of certain bridges in townships of the second class without the consent of the Water and Power Resources Board," be recalled from the Governor for the purpose of amendment.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 467.

An Act amending the act of May 3, 1931 (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including the Italian American World War Veterans of the United States Incorporated among the veterans organizations entitled to the printing of convention reports.

#### HOUSE BILL No. 470.

An Act amending the act of April 18, 1929 (P. L. 609) entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps \* \* \*" authorizing the Italian American World War Veterans of the United States Incorporated to gather and file data concerning burial places of persons who have served in the military naval or other combative forces with the county commissioners or city commissioners in cities of the first class.

#### HOUSE BILL No. 471.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting imitating selling or offering to sell the labeled artificial flower of the Italian American World War Veterans of the United States Incorporated.

#### HOUSE BILL No. 1544.

An Act amending the act of April 23, 1909 (P. L. 141) entitled "An act providing for the use of borough and township lockups and city or county prisons for the detention of prisoners \* \* \*" increasing daily compensation of certain boroughs cities and townships from the county treasury for each prisoner incarcerated.

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 578.  
Resolution for concurrence, Serial No. 113.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 195, 851, 869, 1060, 1129, 1731, and 1816.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 9, 1959.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:



I have the honor to inform you that I have this day approved and signed House Bill No. 195, Printer's No. 1033, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949,' providing Commonwealth reimbursement to school districts on account of migratory children attending their schools."

DAVID L. LAWRENCE

September 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 851, Printer's No. 550, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code,' authorizing veterans to gain residences as electors at homes for disabled and indigent soldiers and sailors."

DAVID L. LAWRENCE

September 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 869, Printer's No. 1418, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949,' providing for Commonwealth reimbursement for certain costs incurred by school districts in connection with the education of partially sighted children."

DAVID L. LAWRENCE

September 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1060, Printer's No. 679, entitled "An Act amending the act of May 10, 1951 (P. L. 279), entitled 'An act to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto' changing and clarifying provisions relating to fees procedures and enforcement permitting intrastate use of the act providing for the registration and enforcement of foreign support orders conferring powers and imposing duties upon the Governor the Secretary and Department of Public Welfare district attorneys courts and clerks of courts and making editorial changes."

DAVID L. LAWRENCE

September 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1129, Printer's No. 1249, entitled "An act amending the act of June 12, 1931 (P. L. 510) entitled as amended 'An act providing for the licensure and regulation of certain private nursing homes private convalescent homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties' providing for a provisional license."

DAVID L. LAWRENCE.

September 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1731, Printer's No. 1132, entitled "An act authorizing a compact between the Commonwealth of Pennsylvania and the State of Delaware for the construction of a series of multipurpose dams and reservoirs on the Brandywine Creek and its tributaries and authorizing a diversion for the borough of West Chester."

DAVID L. LAWRENCE.

September 9, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1816, Printer's No. 1152, entitled "An act amending the act of June 20, 1947 (P. L. 745) entitled 'An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employees and imposing penalties' changing the times for filing returns."

DAVID L. LAWRENCE.

## REPORTS FROM COMMITTEE

Mr. FRANK from the Committee on Welfare, reported as amended, House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services, and to prepare appropriate legislation in connection therewith, and making an appropriation.

Mr. DOUGHERTY from the Committee on Liquor Control, reported as amended, House Bill No. 1971, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class, under certain conditions.

Mr. CAPANO from the Committee on Education, reported as amended, House Bill No. 2078, entitled:

An Act amending the "Public School Code of 1949," providing a minimum wage for employees of school districts.

Mr. HAMILTON from the Committee on Education, reported as amended, Senate Bill No. 221, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing school directors to charge tuition fees for adult extension education and making an appropriation.

Mr. COMER from the Committee on Banking and Building and Loan Associations, reported as amended, Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

Mr. COMER from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles," etc., permitting payment of time balances in amounts varying with the expected income of the buyer.

Mrs. MONROE from the Committee on Welfare, reported as committed, House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300), entitled as amended, "An act providing for compliance



with Federal law and the approval of certain institutions; \*\*\*.", abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

Mrs. MONROE from the Committee on Welfare, reported as committed, House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," by abolishing the advisory committee on adoption standards.

Mrs. MONROE from the Committee on Welfare, reported as committed, House Bill No. 1612, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating the necessity of approval by the State Board of Public Assistance of certain standards, rules and regulations.

Mrs. MONROE from the Committee on Welfare, reported as committed, House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847), entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, to purchase, own, install, maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise, \*\*\*," transferring functions from the State Council for the Blind to the Department of Public Welfare.

Mrs. ANDERSON from the Committee on Education, reported as committed, House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing requirements for investments of the permanent State School Fund.

Mr. ROVANSEK from the Committee on Education, reported as committed, House Bill No. 2147, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), empowering the State Council of Education to promulgate standards for the acquisition of school grounds and construction of school buildings.

Mr. BALTHASER from the Committee on Boroughs, reported as committed, Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners.

Mr. COMER from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 684, entitled:

An Act amending the act of April 13, 1943 (P. L. 49), entitled "An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given" enlarging the investment powers of co-fiduciaries.

Mr. COMER from the Committee on Banking and Building and Loan Associations, reported as committed, Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

Mr. COMER from the Committee on Banking and

Building and Loan Associations, reported as committed, Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

Mr. FETTEROLF from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental duties and functions" extending the act to municipality authorities.

### BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles," etc., permitting payment of time balances in amounts varying with the expected income of the buyer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300), entitled as amended, "An act providing for compliance with Federal law and the approval of certain institutions; \* \* \*," abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," by abolishing the advisory committee on adoption standards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1612, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating the necessity of approval by the State Board of Public Assistance of certain standards, rules and regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847), entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, to purchase, own, install, maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise, \* \* \*," transferring functions from the State Council for the Blind to the Department of Public Welfare.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing requirements investments of the permanent State School Fund.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2147, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), empowering the State Council of Education to promulgate standards for the acquisition of school grounds and construction of schools buildings.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 684, entitled:

An Act amending the act of April 13, 1943 (P. L. 49), entitled "An act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given," enlarging the investment powers of co-fiduciaries.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceed to the first reading and consideration of Senate Bill No. 868, entitled:

An Act amending the title an act of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreement in the exercise of their governmental powers duties and functions," extending the act to municipality authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school district of the first class A for current expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2316, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I have been asked to make an announcement regarding the operation of the House, and I think it would be well to make it now so that all the Members will know.

Mr. Speaker, in a conference after we had marked the



calendar today, since some of the bills had not been caucused on and could not be acted upon today, it was recommended that we not break for lunch but work steadily, and we believe we can be out of here not later than 3:00 p.m. fast time; therefore we would save ourselves an hour and a half which we generally lose when we break for lunch. We would like to inform you that we will, under the decision we made, continue straight through and get out of here as soon as possible today. Mr. Speaker, I ask that you move right on with the calendar.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1340, entitled:

An Act amending the act of April 22, 1889 (P. L. 41), entitled "An act relative to entry of judgment authorizing the courts to permit the same to be made by the prothonotary on praecipe," requiring notice by registered mail to persons against whom judgment is sought for want of an appearance.

The first section was read.

On the question,

Will the House agree to the section?

Mr. IRVIS offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 8, by inserting after "notified," "at his last known address."

Amend Sec. 1, (Sec. 1), page 2, line 9, by inserting after "entering," "of a judgment for want."

Amend Sec. 1 (Sec. 1), page 2, lines 10 and 11, by striking out "shall be notified AT HIS LAST KNOWN ADDRESS by registered mail."

Amend Sec. 1 (Sec. 1), page 2, line 15, by inserting after "of" where it appears the second time "the sending of."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2106, entitled:

An Act to regulate and control the distribution, sale or offering for sale, of all bread wrapped or unwrapped conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto prescribing penalties for violations thereof and repealing inconsistent laws.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2108, entitled:

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties \* \* \*.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

The SPEAKER pro tempore. The Chair requests the Speaker to return to the rostrum and returns the gavel to him.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Floyd, for presiding.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MULDOWNEY asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2181, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), penalizing acts of malicious mischief to real or personal property.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2202, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), defining Basic School of Beauty Culture and Advanced School of Beauty Culture and prescribing registration fees for such schools.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2286, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2341, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2346, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission \* \* \* authorizing the caucus chairmen of each house to appoint substitutes in their stead as members of the executive committee.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2358, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217), further defining the authority of the Department of Public Instruction to review construction projects.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2359, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," fixing the compensation of auditors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2360, entitled:

An Act amending the "Practical Nurse Law," approved March 2, 1956 (P. L. 1211), further providing for the filing of applications for licensure without examination.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

### BILLS PASSED OVER

There being no objection

House Bill No. 568, Printer's No. 1602, and

House Bill No. 1614, Printer's No. 1612,

were passed over at the request of the SPEAKER.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1652, entitled:

An Act amending the "Employment Agency Law," approved July 31, 1941 (P. L. 616), changing definitions licensing criteria and licensing suspension and revocation procedures; reducing fees for representative licenses changing the authority of employment agents with regard to charging fees and utilizing certain methods of doing business providing for minimum fees in certain types of engagements clarifying the applicability of other laws to employment agents changing the procedures and penalties for violations of this act and clarifying and changing the powers and duties of the Department.

On the question,

Shall the bill pass finally?

### RECONSIDERATION OF VOTE

Mr. P. E. PERRY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered. The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. P. E. PERRY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, line 1, by striking out "(5)."

Amend Sec. 1 (Sec. 2), page 2, lines 7 to 9, page 3, lines 1 to 20, page 4, lines 1 to 11, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Philadelphia, Mr. Perry. I believe the amendments offered by the gentleman would exempt from the provisions of the proposed bill certain types of organizations such as Man Power and, as commonly known, Kelly Girls. In this particular situation I request that we oppose the amendments offered by the gentleman.

Mr. P. E. PERRY. Mr. Speaker, the purpose of these amendments is, as the Majority Leader stated, to exempt certain types of firms from the regulations of this bill. The firms that would be exempt if this amendment carries are what are called private contractors, I would call them, and not employment agencies. They are firms who furnish service to anyone who needs it. They furnish the help, they pay the help and they charge a fee to the user. It is not an employment agency. They do not charge a fee to the people they so place; therefore I consider them private contractors. If we follow the concept of this bill all the way, you would cover all kinds of private contractors, whether they be painters or farmers, who furnish labor on any job. Therefore I think these amendments should be approved.

Mr. LIPPINCOTT. Mr. Speaker, I am not particularly in favor of this bill, but I had discussed these amendments previously with the gentleman from Philadelphia, and it seems to me these are very sensible amendments. I rise to support them, and I hope that all the Members will vote for the amendments.

Mr. DOUGHERTY. Mr. Speaker and Members of the House, I rise to support these amendments. I think they are well meant, and this help which is deleted from this bill is only temporary help—just as if your secretary was



going away for a week's vacation, the Man Power will supply one for a week. It is just temporary employment. Thank you.

On the question recurring,

Will the House agree to the amendments?

A division was called for, a majority of the Members having voted in the affirmative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1726, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Property and Supplies to acquire title to real property and to provide for the construction of public buildings thereon by rental purchase contracts.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. Speaker, on the bill in question I rise to oppose this bill. I will make my reasons very brief. I am of the belief that it is far cheaper for the Commonwealth to buy the land, to erect the buildings on the land, utilizing, perhaps, Joint State Authority money, than to buy the land, have an individual erect the buildings and then rent the buildings to the state. I feel this bill will result in higher costs to the Commonwealth.

Mr. GOLDSTEIN. Mr. Speaker, I oppose passage of this bill likewise. This bill was defeated on final passage, I believe, some months ago, and my reasons for being against the bill are outlined in the debate of that time. The principal feature of the bill that I oppose is the provision that the leased property will be exempt from local taxes, and this will cast an additional burden upon school districts and upon local authorities who need every dollar of taxation they can get. I believe it is unfair that people who speculate in land and buildings, and lease the property to the Commonwealth of Pennsylvania, should be exempted from paying taxation. I agree with the gentleman from Delaware, Mr. Bell, that we have a cheaper method of doing it, a direct method of the General State Authority. I do not think we should adopt or use this method. It opens the door to methods that I think would be unsound in our government today.

Mr. SCHWARTZ. Mr. Speaker, I rise in support of this measure. I think it is about time the Commonwealth of Pennsylvania took advantage of some of the types of financing that business establishments in the Commonwealth and throughout the country and throughout the world are using. And that is this type of legislation, the so-called lease back. This would permit the Commonwealth to build without the investing of any funds. All the Members of the House know there is a debt limitation imposed upon the Commonwealth. There is also a debt limitation imposed upon the General State Authority.

I say to you that the last time this bill was before the House it was completely misunderstood. The fact that some local municipalities may lose taxation or not receive taxation is a consideration, it is true, but I think

we have to look at the overall issue with which we are faced. This, I say to the Members of the House, is good legislation. It is legislation which the Republican Party supported in the past. It is my understanding that it emanated from the right side of the aisle in previous Sessions, and I am sure it is only through a misunderstanding by some of the Members that this bill was opposed the last time. Thank you.

Mr. BELL. Since I spoke at length the last time this bill failed in the House, I think that I should clarify the position I took then and take now. There was no misapprehension or misunderstanding on the speaker's part. This is a situation that is going to be of greater cost to the Commonwealth, and the Commonwealth should take the money that would go in here and put it in places like mental hospitals. For the sake of economy I say vote against this bill.

Mr. McCANN. House Bill 1726 is a bill that was debated on a prior date here in the House. The bill at that time was discussed for a considerable length of time, and later there was an amendment placed in the bill by the gentleman from Westmoreland, Mr. Jim, I believe, dealing with Game Commission land. The bill, I believe, is a very sensible bill, a system in which the Federal government operates in this field. As I mentioned at that time the bill originated from the fact that this was brought out in Appropriation Committee hearings, and certain members of the Republican party who were there at the hearings recommended such ideas to be incorporated into legislation dealing with the acquiring of land and construction of public buildings for rental by the Commonwealth. Mr. Speaker, I urge that we support this piece of proposed legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—137

Agnew,	Frascella,	McLaughlin,	Rudisill,
Anderson,	Fulmer,	Machmer,	Sakulsky,
Arlene,	Galley,	Markley,	Scarcelli,
Balthaser,	Gallagher,	Maxwell,	Schaaf,
Botes,	Garlock,	Meholchick,	Schuster,
Bonner,	Gelfand,	Mihm,	Schwartz,
Bower,	Goodrich,	Miller, B. Z.,	Sherman,
Bowman,	Gramlich,	Mills,	Shupnik,
Branca,	Guthrie,	Monroe,	Silverman,
Breth,	Hamilton,	Muldowney,	Snider,
Burns,	Heavey,	Mullen,	Stank,
Capano,	Heffner,	Munley,	Stewart,
Capitolo,	Helm,	Murray, P. G.,	Stimmel,
Cianfrani,	Holt,	Musto,	Stone,
Cioffi,	Irvis,	Needham,	Stroup,
Clarke,	Jenkins,	O'Donnell, J. A.,	Taylor,
Comer,	Jim,	O'Donnell, J. P.	Tompkins,
Crossin,	Johnson, A. W.,	O'Neil,	Trusio,
Curwood,	Jones, F. R.,	Parlante,	Varallo,
Davis,	Jones, T. H. W.,	Pashley,	Varnier,
Dennis,	Kamyk,	Perry, H. H.,	Verona,
Dennison,	Kee,	Perry, P. E.,	Wall,
Devlin,	Kessler,	Petrosky,	Walsh,
Donahue,	Kovolenko,	Polaski,	Wargo,
Dougherty,	Lee, A. M.,	Polen,	Weidner,
Down,	Lee, K. B.,	Prendergast,	Wescott,
Eilberg,	Leonard,	Price,	Wheeler,
Eshleman,	Limper,	Pursley,	Williams, E. S.,
Farabaugh,	Lopresti,	Reibman,	Wood,
Filo,	Luigard,	Reldenbach,	Yatron,
Fineman,	Lutty,	Renwick,	Yetter,
Floyd,	McCann,	Riley,	Zimmerman,
Flynn,	McDonald,	Rovansek,	Andrews,
Foerster,	McInroy,	Royer,	Speaker
Frank,	McKeever,		

## NAYS—47

Barton,	Goldstein	Lamb,	Seltzer,
Bell,	Henzel,	Lippincott,	Steckel,
Buchanan,	Hocker,	McCandless,	Stoner,
Dengler,	Holliday,	Mahan,	Strausser,
Donaldson,	Horst,	Merry,	Whittaker,
Edwards,	Johnson, R.,	Miller, H. G.,	Williams, A. D., Jr.,
Eshback,	Jump,	Murphy, P. J.,	Willard,
Ewing,	Kelser,	Murray, H. P.,	Willaredt,
Fetterolf,	Kernaghan,	Naugle,	Wilt,
Fox,	Knecht,	Odorisio,	Worley,
George,	Kooker,	Rigby,	Wynd,
Gibb,	Kubitsky,		

## NOT VOTING—24

Ashton,	Cooper,	Magee,	Ogilvie,
Auker,	Isaacs,	Moran,	Snare,
Blair,	Kornick,	Murphy, A. J., Jr.	Stevens,
Boris,	Korns,	Murray, J. J.,	Sullivan,
Brenninger,	Light,	Nelson,	Thompson,
Brown,	McCormack,	O'Dell,	Ujobai,
			Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 143, Printer's No. 1402 and

Senate Bill No. 375, Printer's No. 1403

were passed over at the request of the SPEAKER.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside temporarily.

Mr. LOPRESTI IN THE CHAIR

## BILLS ON FINAL PASSAGE POSTPONED

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1702 on page 8 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1702, entitled:

An Act relating to State highways roads and bridges and certain use thereof amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto \* \* \*.

On the question recurring,

Shall the bill pass finally?

## RECONSIDERATION OF VOTE

Mr. COMER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. COMER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 502, page 24, lines 17 to 19; page 25, lines 1 to 11, by striking out "The secretary" in line 17 and all of lines 18 and 19 on page 24 and all of lines 1 to 11

on page 25 and inserting: "Except as otherwise provided in this section, new highways may be constructed and maintained as part of the State Highway System, and existing highways may be made part of the State Highway System for construction, reconstruction and maintenance, and any highway which is part of the State Highway System on the effective date of this act, or thereafter made part of the State Highway System, may be eliminated or deleted from or abandoned as part of the State Highway System only pursuant to acts of assembly providing for the taking over or deletion or abandonment and construction and maintenance of such highways.

"The secretary is hereby authorized to join two or more State highway routes in cities, boroughs, incorporated towns or townships, or in any two or more of such political subdivisions, by taking over or building a connecting road, not more than one mile in length, whenever such connecting road would lessen the distance between two points on separate routes, or provide a better alignment or grade. Such road, when constructed or taken over, shall become a State highway and subject to the laws relating to such highways."

Amend Sec. 701, page 29, lines 12 and 13, by striking out all of said lines.

Amend Sec. 702, page 29, line 14, by striking out "702" and inserting "701."

Amend Sec. 703, page 30, line 3, by striking out "703" and inserting "702."

Amend Sec. 704, page 30, line 10, by striking out "704" and inserting "703".

Amend Sec. 902, page 41, line 17, by inserting after "secretary" "with the approval of the Governor."

Amend Sec. 902, page 42, lines 1 to 3, by striking out "unless the" in line 1, all of line 2 and "service" in line 3 and inserting "Service."

Amend Sec. 1101, page 48, line 7, by striking out "and" and inserting "when authorized to do so by an act of assembly establishing State highways and authorizing their construction, maintenance and improvement and shall."

Amend Sec. 2001, page 77, lines 3 to 8, by striking out "The secretary and" in lines 3 and all of lines 4 to 8.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection

House Bill No. 325, Printer's No. 999

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 459, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) changing provisions relating to cancellation of registration.

On the question,

Will the House agree to the bill on third reading?



It was agreed to.  
On the question,  
Shall the bill pass finally?

Mr. A. W. JOHNSON. This is, as I take it, House Bill No. 459, which says in effect that you only have to vote once in four years to be kept on the voting rolls. This seems to be a step in the wrong direction and rather than making it a four-year proposition instead of two, it probably should be one. It is only good Americanism that people exercise the right of franchise which is the dearest thing we have in this Nation today. It seems rather irrational at this point to extend laziness in voting from a two-year period to four years. I would be very interested in hearing from the sponsor of the bill the rationale of the bill, its necessity at this time, and what it seeks to accomplish. Maybe he will give us an explanation that will sway us to vote for it, but at this time I believe on this side of the House almost everybody is against the bill as not being good government.

Mr. McCANN. Mr. Speaker, I would like to have permission of the House to discuss both House Bill No. 459 and House Bill 1152, companion bills dealing with permanent registration.

The SPEAKER pro tempore. Without objection the gentleman may discuss both bills. The Chair hears no objection.

Mr. McCANN. Mr. Speaker, I would say that the only sound argument that exists in regard to the changing of the Registration Act from the present two-year period to the proposed four-year period in both of these bills is that history has shown us that here in the Commonwealth of Pennsylvania we have a very large segment of the population that votes Presidential elections only. For some reason unknown to the people except those themselves who do this, we have a great number of the people of this Commonwealth who vote Presidential elections and do not vote the in-between elective years. The present Act says that they may purge from the rolls, and they do, the people who do not vote two consecutive years. This is what the law is at the present time.

House Bill No. 459 covers all of the areas of the Commonwealth except the cities of the first class, and House Bill No. 1152 covers the first-class city permanent registration Act. Those who believe we should give every opportunity to every person, every right to vote and to be eligible to vote, favor such legislation. You have no way of convincing people; it is their own decision to vote on Presidential years and not on the other years. This proposed change in the legislation of these two Bills, both 459 and 1152, would give to those people an opportunity to be on the registration rolls, because it would carry the time from the present two years to four years. For that reason we have brought out here to the House both changes in this field, and we do ask support for the passage of these bills.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—83

Anderson,	Fineman,	Lutty,	Polaski,
Arlene,	Floyd,	McCann,	Polen,
Balthaser,	Flynn,	McDonald,	Reidenbach,

Boles,	Foerster,	McKeever,	Riley,
Bonner,	Frank,	McLaughlin,	Rovanssek,
Branca,	Frascella,	Machmer,	Rudisill,
Breth,	Gallagher,	Meholchick,	Scarcelli,
Burns,	Garlock,	Mihm,	Schaaf,
Capitolo,	Gelfand,	Monroe,	Schuster,
Cianfrani,	Hamilton,	Muldowney,	Schwartz,
Cioffi,	Heavey,	Mullen,	Sherman,
Clarke,	Holt,	Munley,	Silverman,
Comer,	Irviss,	Murray, J. J.,	Snider,
Crossin,	Jenkins,	Musto,	Stank,
Curwood,	Jones, F. R.,	Needham,	Stewart,
Dennis,	Kamyk,	O'Donnell, J. P.,	Stone,
Devlin,	Kovolenko,	Parlante,	Taylor,
Dougherty,	Lamb,	Pashley,	Varallo,
Ellberg,	Limper,	Perry, H. H.,	Wargo,
Farabaugh,	Lopresti,	Perry, P. E.,	Yetter,
Filo,	Luigard,	Petrosky,	

## NAYS—98

Agnew,	Goodrich,	McInroy,	Shupnik,
Barton,	Gramlich,	Mahan,	Steckel,
Bell,	Guthrie,	Markley,	Stimmel,
Boris,	Heffner,	Maxwell,	Stoner,
Bower,	Helm,	Merry,	Strausser,
Bowman,	Henzel,	Miller, B. Z.,	Stroup,
Brenninger,	Hocker,	Miller, H. G.,	Tompkins,
Buchanan,	Holliday,	Mills,	Trusio,
Capano,	Horst,	Murphy, P. J.,	Varner,
Davis,	Jim,	Murray, H. P.	Verona,
Dengler,	Johnson, A. W.,	Murray, P. G.,	Wall,
Dennison,	Johnson, R.,	Naugle,	Walsh,
Donahue,	Jones, T. H. W.,	O'Donnell, J. A.,	Weidner,
Donaldson,	Jump,	Odorisio,	Wescott,
Edwards,	Kee,	O'Neill,	Whittaker,
Eshback,	Keiser,	Prendergast,	Williams, A. D., Jr.,
Eshleman,	Kernaghan,	Price,	Willard,
Ewing,	Kessler,	Pursley,	Willaredt,
Fetterolf,	Knecht,	Reibman,	Wilt,
Fox,	Kooker,	Renwick,	Wood,
Fulmer,	Kubitsky,	Rigby,	Worley,
Gailey,	Lee, A. M.,	Royer,	Wynd,
George,	Lee, K. B.,	Sakulsky,	Yatron,
Gibb,	Lippincott,	Seltzer,	Zimmerman,
Goldstein,	McCandless,		

## NOT VOTING—27

Ashton,	Kornick,	Murphy, A. J., Jr.,	Thompson,
Auker,	Korns,	Nelson,	Ujobai,
Blair,	Leonard,	O'Dell,	Welsh,
Brown,	Light,	Ogilvie,	Wheeler,
Cooper,	McCormack,	Snare,	Williams, E. S.,
Down,	Magee,	Stevens,	Andrews,
Isaacs,	Moran,	Sullivan,	Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

## BILLS PASSED OVER

There being no objection

House Bill No. 765, Printer's No. 221,  
House Bill No. 899, Printer's No. 1513,  
House Bill No. 1152, Printer's No. 1584,  
House Bill No. 1161, Printer's No. 1375,  
House Bill No. 1505, Printer's No. 1553,  
House Bill No. 1592, Printer's No. 1598 and  
House Bill No. 1629, Printer's No. 1561,  
were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers conferring powers and imposing duties on the Department of Public Welfare.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—160

Agnew,	Frank,	McDonald,	Riley,
Anderson,	Frascella,	McInroy,	Rovansek,
Arlene,	Fulmer,	McKeever,	Royer,
Balthaser,	Galley,	McLaughlin,	Rudisill,
Bell,	Gallagher,	Machmer,	Sakulsky,
Boles,	Garlock,	Mahan,	Scarcelli,
Bonner,	Gelfand,	Markley,	Schaaf,
Boris,	Gibb,	Maxwell,	Schuster,
Bower,	Goldstein,	Meholchick,	Schwartz,
Branca,	Guthrie,	Mihm,	Sherman,
Brenninger,	Hamilton,	Miller, B. Z.,	Shupnik,
Breth,	Heavey,	Miller, H. G.,	Silverman,
Buchanan,	Helm,	Mills,	Snider,
Burns,	Henzel,	Monroe,	Stank,
Capano,	Holliday,	Muldowney,	Steckel,
Capitolo,	Holt,	Mullen,	Stewart,
Cianfrani,	Irvis,	Munley,	Stimmel,
Cioffi,	Jenkins,	Murphy, P. J.,	Stone,
Clarke,	Jim,	Murray, J. J.,	Taylor,
Comer,	Johnson, R.,	Murray, P. G.,	Trusio,
Crossin,	Jones, F. R.,	Musto,	Ujobal,
Curwood,	Jones, T. H. W.,	Naugle,	Varallo,
Dengler,	Jump,	Needham,	Varnier,
Dennis,	Kamyk,	O'Donnell, J. A.,	Verona,
Dennison,	Kee,	O'Donnell, J. P.,	Walsh,
Devlin,	Kernaghan,	Odorisio,	Wargo,
Donahue,	Kessler,	O'Neil,	Weldner,
Donaldson,	Knecht,	Parlante,	Wescott,
Dougherty,	Korns,	Pashley,	Whittaker,
Down,	Kovolenko,	Perry, H. H.,	Williams, A. D., Jr.,
Eilberg,	Kubitsky,	Perry, P. E.,	Williams, E. S.,
Eshback,	Lamb,	Petrosky,	Willaredt,
Eshleman,	Lee, K. B.,	Polaski,	Wilt,
Ewing,	Leonard,	Polen,	Wood,
Farabaugh,	Limper,	Prendergast,	Worley,
Filo,	Lopresti,	Pursley,	Wynd,
Fineman,	Luigard,	Rebman,	Yatron,
Floyd,	Lutty,	Reidenbach,	Yetter,
Flynn,	McCann,	Renwick,	Zimmerman,
Foerster,	McCormack,	Rigby,	Andrews,
Fox,			Speaker

## NAYS—26

Bowman,	Hocker,	McCandless,	Strausser,
Davis,	Horst,	Merry,	Stroup,
Edwards,	Johnson, A. W.,	Murray, H. P.,	Tompkins,
Fetterolf,	Kelser,	Price,	Wall,
George,	Kooker,	Seltzer,	Willard,
Goodrich,	Lee, A. M.,	Stoner,	Zimmerman,
Gramlich,	Lippincott,		

## NOT VOTING—22

Ashton,	Heffner,	Murphy, A. J., Jr.	Stevens,
Auker,	Isaacs,	Nelson,	Sullivan,
Barton,	Kornick,	O'Dell,	Thompson,
Blair,	Light,	Ogilvie,	Welsh,
Brown,	Magee,	Snare,	Wheeler,
Cooper,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1813, Printer's No. 726, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1854, entitled:

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507) authorizing assessment of decedent's property for five years prior to the date in which death occurs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Frascella,	McCandless,	Rovansek,
Anderson,	Fulmer,	McCann,	Royer,
Arlene,	Galley,	McCormack,	Rudisill,
Balthaser,	Gallagher,	McDonald,	Sakulsky,
Barton,	Garlock,	McInroy,	Scarcelli,
Bell,	Gelfand,	McKeever,	Schaaf,
Boles,	George,	McLaughlin,	Schuster,
Bonner,	Gibb,	Machmer,	Schwartz,
Boris,	Goldstein,	Mahan,	Seltzer,
Bower,	Goodrich,	Markley,	Sherman,
Bowman,	Gramlich,	Maxwell,	Shupnik,
Branca,	Guthrie,	Meholchick,	Silverman,
Brenninger,	Hamilton,	Merry,	Snider,
Breth,	Heavey,	Mihm,	Stank,
Buchanan,	Helm,	Miller, B. Z.,	Steckel,
Burns,	Henzel,	Miller, H. G.,	Stewart,
Capano,	Hocker,	Mills,	Stimmel,
Capitolo,	Holliday,	Monroe,	Stone,
Cianfrani,	Holt,	Muldowney,	Stoner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Mullen,	Taylor,
Comer,	Jenkins,	Murphy, P. J.,	Tompkins,
Crossin,	Jim,	Murray, H. P.	Trusio,
Curwood,	Johnson, A. W.,	Murray, J. J.,	Ujobal,
Davis,	Johnson, R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, F. R.,	Musto,	Varnier,
Dennis,	Jones, T. H. W.,	Naugle,	Verona,
Dennison,	Jump,	Needham,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kelser,	Odorisio,	Weldner,
Dougherty,	Kernaghan,	O'Neil,	Wescott,
Down,	Kessler,	Parlante,	Whittaker,
Edwards,	Knecht,	Pashley,	Williams, A. D., Jr.,
Eilberg,	Kooker,	Perry, H. H.,	Williams, E. S.,
Eshback,	Kornick,	Perry, P. E.,	Willard,
Eshleman,	Korns,	Polaski,	Willaredt,
Ewing,	Kovolenko,	Petrosky,	Wilt,
Farabaugh,	Kubitsky,	Prendergast,	Wood,
Fetterolf,	Lamb,	Price,	Worley,
Filo,	Lee, A. M.,	Pursley,	Wynd,
Fineman,	Lee, K. B.,	Rebman,	Yatron,
Flynn,	Leonard,	Reidenbach,	Yetter,
Floyd,	Limper,	Renwick,	Zimmerman,
Foerster,	Lippincott,	Rigby,	Andrews,
Fox,	Lopresti,	Riley,	Speaker
Frank,	Luigard,		
	Lutty,		

## NAYS—0

## NOT VOTING—22

Ashton,	Isaacs,	Murphy, A. J., Jr.	Stevens,
Auker,	Kornick,	Nelson,	Sullivan,
Blair,	Light,	O'Dell,	Thompson,
Brown,	Magee,	Ogilvie,	Welsh,
Cooper,	Moran,	Snare,	Wheeler,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1879, Printer's No. 1555,

House Bill No. 2090, Printer's No. 1118,

House Bill No. 2120, Printer's No. 1400 and



House Bill No. 2170, Printer's No. 1599, were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2240, entitled:

An Act amending the "Commerce Law" approved May 10, 1939 (P. L. 111) providing for the establishment and maintenance by the Department of Commerce of a business technical information program.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—133

Anderson,	Frascella,	McLaughlin,	Riley,
Arlene,	Galley,	Machmer,	Rovansek,
Balthaser,	Gallagher,	Markley,	Rudisill,
Barton,	Garlock,	Maxwell,	Sakulsky,
Bell,	Gelfand,	Meholchick,	Scarcelli,
Boles,	George,	Mihm,	Schaaf,
Bonner,	Goodrich,	Miller, B. Z.,	Schuster,
Boris,	Guthrie,	Miller, H. G.,	Schwartz,
Branca,	Hamilton,	Mills,	Sherman,
Breth,	Heavey,	Monroe,	Shupnik,
Buchanan,	Helm,	Muldowney,	Silverman,
Burns,	Holt,	Mullen,	Snider,
Capano,	Irviss,	Munley,	Stank,
Capitolo,	Jenkins,	Murphy, P. J.,	Stewart,
Cianfrani,	Jim,	Murray, J. J.,	Stone,
Cioffi,	Jones, F. R.,	Murray, P. G.,	Taylor,
Clarke,	Kamysk,	Musto,	Trusio,
Comer,	Kee,	Naugle,	Ujobal,
Crossin,	Kelser,	Needham,	Varallo,
Curwood,	Knecht,	O'Donnell, J. A.,	Verona,
Dengler,	Kovolenko,	O'Donnell, J. P.,	Walsh,
Dennis,	Lamb,	O'Neil,	Wargo,
Devlin,	Lee, A. M.,	Parlante,	Wescott,
Dougherty,	Lee, K. B.,	Pashley,	Wheeler,
Edwards,	Leonard,	Perry, H. H.,	Williams, A. D., Jr.,
Eilberg,	Limper,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Lopresti,	Petrosky,	Worley,
Filo,	Luigard,	Polaski,	Wynd,
Fineman,	Lutty,	Polen,	Yatron,
Floyd,	McCann,	Prendergast,	Yetter,
Flynn,	McCormack,	Reibman,	Zimmerman,
Foerster,	McDonald,	Reidenbach,	Andrews,
Fox,	McInroy,	Renwick,	Speaker
Frank,	McKeever,		

#### NAYS—53

Agnew,	Gibb,	Kubitsky,	Stimmel,
Bower,	Goldstein,	Lippincott,	Stoner,
Bowman,	Henzel,	McCandless,	Strausser,
Brenninger,	Hocker,	Mahan,	Stroup,
Davis,	Holliday,	Merry,	Tompkins,
Dennison,	Horst,	Murray, H. P.,	Varner,
Donahue,	Johnson, A. W.,	Odorisio,	Wall,
Donaldson,	Jones, T. H. W.,	Price,	Weldner,
Down,	Jump,	Pursley,	Whittaker,
Eshback,	Kernaghan,	Rigby,	Willard,
Eshleman,	Kessler,	Royer,	Willaredt,
Ewing,	Kooker,	Seltzer,	Wilt,
Fetterolf,		Steckel,	Wood,
Fulmer,			

#### NOT VOTING—22

Ashton,	Heffner,	Moran,	Snare,
Auker,	Isaacs,	Murphy, A. J., Jr.,	Stevens,
Blair,	Kornick,	Nelson,	Sullivan,
Brown,	Korns,	O'Dell,	Thompson,
Cooper,	Light,	Ogilvie,	Welsh,
Gramlich,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 2273, Printer's No. 1564 and

House Bill No. 2302, Printer's No. 1600, were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts \* \* \*" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

On the question,

Will the House agree to the bill on third reading?

Mr. STECKEL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "tion": "eliminating the provision making the decision of the board final; requiring the board to make a written finding of fact and."

Amend Sec. 1, page 2, line 1, by inserting after "7": "and section 13."

Amend Bill, page 3, by inserting between lines 3 and 4: "Section 13. Objections by School Districts; Hearings; Basis for Future Valuations.—Any school district aggrieved by any finding or conclusion of the board affecting the amount of any Commonwealth subsidy payable to it, may, in writing, state its objections thereto, and shall thereupon be granted a hearing by the board at which hearing the board shall submit evidence and the district shall have the right to submit evidence for the purpose of showing that the findings of the board are incorrect, and to present arguments to substantiate its contentions. After carefully considering all evidence submitted and the arguments of the district, and based upon the same the board shall make such modifications and adjustments of its findings and computations as to it shall appear proper or it may dismiss the objections. In either event [the decision of the board shall be final] the board shall make a written finding of fact based upon all the evidence submitted. The valuations so adjusted shall form the basis upon which valuations for the purpose of determining the amounts of the Commonwealth subsidies shall be determined as hereinafter provided."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. STECKEL. The amendments as proposed to the bill have nothing to do with the distribution of Moneys by the State Tax Equalization Board. They provide, however, for an appeal to be taken from the State Tax Equalization Board as one can be taken from any other administrative body.

Yesterday in this House there was a great deal of discussion concerning the right of appeal from the decision

or the figures handed down by the State Tax Equalization Board. There is, however, no real right of appeal as it presently exists, because the three men who are appointed by the Governor set the figure on which all of the reimbursements of all the school districts of this Commonwealth are based, and they are the ones who hear the so-called appeal presently. The Administrative Code provides for appeals to be taken from all administrative agencies through the Commonwealth Court in Dauphin County. There was a specific denial on such an appeal in the State Tax Equalization Board Act. This amendment would delete that denial and would allow appeals as there are appeals allowed from every other administrative agency.

The second thing these amendments would do is require that the Board present testimony or evidence at the hearing at which the school district appears, and the Board would then make its findings of fact from the testimony educed, and the appeal could be taken from that.

Presently the State Tax Equalization Board does not have to introduce a single shred of evidence at the time of the hearings on an appeal. It can make its findings of fact by ignoring entirely the evidence from the school district.

Now these amendments would only place this administrative body, and allow the proper appeal by districts that feel offended by the decision of the Board. I think it is only in keeping with the due process of law provisions that we approve these amendments, and I ask everyone on both sides of the aisle to support them.

The SPEAKER pro tempore. Does the Majority Leader desire to be recognized on the amendments?

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman, Mr. Steckel?

The SPEAKER pro tempore. Will the gentleman from Lehigh, Mr. Steckel, permit himself to be interrogated?

Mr. STECKEL. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Lehigh, Mr. Steckel, inform us, if these amendments are placed into the bill and accepted, and a school district came into the State Tax Equalization Board and denied their change in market value of the teaching unit, on what basis then they would take it to the Dauphin County Commonwealth Court.

Mr. STECKEL. Mr. Speaker, the Administrative Code provides for appeals taken from administrative bodies to the Dauphin County Courts, and unless this is an exclusion, as presently exists specifically in the State Tax Equalization Board Act, that is the course provided for under the Administrative Code.

Mr. McCANN. No, I am asking the gentlemen whether their appeal to the Commonwealth Court under the Administrative Code would have to be made on the facts regarding the changes. Is that correct?

Mr. STECKEL. That is correct.

Mr. McCANN. Now, you stated, I believe, in your remarks here regarding these amendments, that this is the only Board from which there is no appeal?

Mr. STECKEL. Perhaps I may be wrong on that. It is one of the few. I do not know of any others from which there is no appeal. An appeal is generally allowed. There may be others. I do not know of any.

Mr. McCANN. There are other Boards now in the Commonwealth from which there is no appeal to a court.

In other words, if the school district felt that the information presented to the State Tax Equalization Board was not carried through properly, that there was some type of error, that they were not given a proper opportunity to present their case, they would then have this right of appeal where the court would hear them. Is that correct?

Mr. STECKEL. That is correct.

Mr. McCANN. Now, Mr. Speaker, will the gentleman inform us, then, so that we may be clear in this situation, whether appeals could be taken to the Dauphin County Court, the Commonwealth Court, solely for the reason that the market value had been changed, even though it was correct, and they were losing state subsidy in the school district?

Mr. STECKEL. No, the appeal could not be taken unless there was first a hearing by the State Tax Equalization Board and the decision made there.

Mr. McCANN. Well, we will say, Mr. Speaker, that the decision of the State Tax Equalization Board to the school district was that the findings of the State Tax Equalization Board were correct in the amount of the market value of the respective school district. There are two thousand and some odd school districts in Pennsylvania. If in your school district the market value had been increased, rightfully so, by the State Tax Equalization Board, now solely by the fact that they have the right of appeal under these proposed amendments, they could then appeal to the courts—not that they had any new information but by virtue of the fact that their figures had been changed. Would that be the intention of this proposed appeal?

Mr. STECKEL. It would not be. They could not go direct.

Mr. McCANN. They could not?

Mr. STECKEL. No.

Mr. McCANN. They could go, though, if they felt the information furnished to the State Tax Equalization Board was incorrect, and the decision in refusing to change the figures would give them the right to be heard in a higher tribunal. Is that right?

Mr. STECKEL. Yes, that is right.

Mr. McCANN. I thank the gentleman very kindly.

Mr. STECKEL. May I make a further answer, Mr. Speaker? Presently there are some twenty-three hundred school districts, I believe, in the Commonwealth, and as of the final appeal date there were less than three hundred appeals taken to the State Tax Equalization Board. Accordingly, if these amendments were added, there would probably be only a small percentage of the two hundred-odd appeals that were taken to the State Tax Equalization Board which would then be appealed further. In all probability they would not approach the number of appeals taken to the Board.

Mr. McCANN. Mr. Speaker, I want to ask the gentleman from Lehigh a couple of questions that would lead on further into the situation. Number one, the State Tax Equalization Board is a legislative arm, and the budget is adopted allocating the amount they operate under for a biennium, is that correct?

Mr. STECKEL. I believe so, Mr. Speaker.

Mr. McCANN. Now, can the gentleman tell us, in a situation in which the State Tax Equalization Board would now have to appear, we will say in the Dauphin County Court, if they would have to have solicitors



or personnel to properly represent them in the Dauphin County Commonwealth Court?

Mr. STECKEL. They would have to, just as any board would have to have counsel.

Mr. McCANN. Mr. Speaker, would the gentleman tell us, if these amendments and this bill pass, should we not then immediately change the amount of funds, whatever small additional amount it may be, to the State Tax Equalization Board for the necessary personnel that may be needed because some cases eventually would go to court? Would that be proper?

Mr. STECKEL. The Attorney General has the right to represent the Commonwealth in this case, I believe.

The SPEAKER pro tempore. Will the gentleman yield for a moment, please. The Chair would like to request the Speaker return to the rostrum.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The interrogation will continue.

Mr. McCANN. Thank you, Mr. Speaker.

Would the gentleman from Lehigh, Mr. Steckel, then inform us if in his opinion we should have some additional funds for personnel since they would be appearing in court now?

Mr. STECKEL. I do not believe that additional funds would be necessary because, as I explained, there were less than three hundred appeals taken to the Board itself, and of that number I am sure there would be a very small number of appeals to the court, if any.

Mr. McCANN. Mr. Speaker, would the gentleman inform us, then, if he is aware of the small number of employees that constitute the entire employment in the State Tax Equalization Board?

Mr. STECKEL. I do not know the exact number but I am aware that it is a small number. However, they are experts in this field, and they would be the people of course to do the preparation of the case, and the representatives of the Attorney General's office would be the ones who would try it.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

Mr. Speaker, the amendments offered by the gentleman from Lehigh, Mr. Steckel, I believe should be placed in the bill. We base this decision on the following: We say that everything the State Tax Equalization Board has done is correct; we secondly state that those school districts have first the right of appeal to the Board, and Mr. Steckel is correct that there are less than three hundred out of the two thousand two hundred that have filed an appeal regarding their change in market values. Then, secondly, we believe that the courts are the proper place for final decision of such an appeal.

We also believe, Mr. Speaker, that other Boards in this Commonwealth now in the category in which the decision of the Board is final should definitely have the consideration of right of appeal to the courts, to the Commonwealth Court here in Dauphin County. Mr. Speaker, I favor the amendments offered by the gentleman from Lehigh, Mr. Steckel, and urge that they be placed in the bill and approved for final passage.

Mr. GAILEY. Now, Mr. Speaker, will the gentleman advise me,—I do not have the advantage of having a copy of the amendments before me—is that all new

language in the Act, or is that restating some of the present Act?

Mr. STECKEL. It restates some of the present language, Mr. Speaker.

The SPEAKER. Does the gentleman from York desire a copy of the amendments?

Mr. GAILEY. Yes, I would like to have them.

Will the gentleman tell me where in the amendments the individual district is given the right of appeal to the Commonwealth Court?

Mr. STECKEL. There is a deletion of the specific denial at about the fifth from the last line where it says "the decision of the board shall be final". That part has been deleted. Under the present Administrative Code an appeal is allowed from the State Tax Equalization Board except where specifically denied. In this case it was specifically denied, and therefore if that is deleted the right of appeal will exist.

Mr. GAILEY. Now, Mr. Speaker, does the gentleman mean to say that in view of the all-inclusive language of Section 13 which we heard read here today that the school board could not appeal from the decision of the Board merely on the basis that they disagreed with their valuation?

Mr. STECKEL. You mean presently?

Mr. GAILEY. No, if your amendments were accepted by this body.

Mr. STECKEL. I am sorry. Will you rephrase the question?

Mr. GAILEY. Mr. Speaker, there seems to be a great deal of confusion in the House, and I think perhaps the gentleman did not hear me.

I asked the gentleman whether or not, in view of the all-inclusive language of Section 13, which we had read to us, here stating, and I quote in part, "Any school district aggrieved by any finding or conclusion of the board affecting the amount," et cetera, in view of that all-inclusive language does the gentleman mean to stand here on the floor and tell us that a school board could not appeal from the decision of the State Tax Equalization Board merely because they felt that the Board's valuation was incorrect?

Mr. STECKEL. Mr. Speaker, I do not know if I understand the gentleman's question, but presently there is no right of appeal from the findings of the State Tax Equalization Board. It specifically says that the decision of the Board shall be final.

Mr. GAILEY. I will phrase the question this way, Mr. Speaker: Did not the gentleman in answer to interrogation by the Majority Leader state that the school board could not appeal from the findings of the State Tax Equalization Board, even with the proposed amendment were it to become law, solely on the basis that they disagreed with the State Tax Equalization Board's valuation of their property?

Mr. STECKEL. All I know, Mr. Speaker, is that this provides that after the hearing before the State Tax Equalization Board and the presentation by it of its findings of fact, the aggrieved district may, if it pleases, appeal the decision of the Board based on its findings of fact.

Mr. GAILEY. Well, does that not mean, Mr. Speaker, if the school board disagrees with the valuation as set by



the State Tax Equalization Board, they could appeal that valuation to the court?

Mr. STECKEL. Well that would be the final purpose of the appeal, yes.

Mr. GAILEY. I thank the gentleman.

Mr. Speaker, I think perhaps, unintentionally I am sure, this body may have been misled by the answers of the gentleman from Lehigh to the interrogation of the Majority Leader. There is no question in my mind that if we put these amendments into the bill and enact it into the law, that any school district in the state would have the right to appeal on the findings, the valuation, the conclusion, the decision of the State Tax Equalization Board and could appeal that to the Dauphin County Court. There has been a great deal of controversy this year about the findings of the State Tax Equalization Board. It has been stated on the floor of the House that there have been 300 appeals to the State Tax Equalization Board itself on account of these findings. I say to you, Mr. Speaker, and to the Members of this House, that not a minority of those 300 districts, but possibly a majority, perhaps almost all of them, if they were denied what they felt to be relief by the Board would appeal these valuations to the Dauphin County court, and I say to you, Mr. Speaker, and to the Members of this House, that this will cause a tremendous log jam in the program of the State Tax Equalization Board in effectively handling their determination of the fair market valuation of the districts in this Commonwealth.

This is a very, very substantial change, a big change in our present law as it deals with this particular agency. This is not something that should be taken lightly or just skipped over by the Members in their consideration today.

To allow the school districts the right of appeal to the court would, it seems to me in this situation, be a very, very serious mistake. The State Tax Equalization Board by its nature is particularly equipped to deal with this problem. I can conceive, and I think we will find, school districts will be appealing to the Dauphin County Court. This is not something that can be presented to a court in half an hour or a couple hours. You are going to have real estate appraisers in there, experts, evaluators; you are not going to be able to take an appeal from the action of the Board to the Dauphin County Court in the matter of half an hour or even half a day.

I say to you that this is a serious mistake if we take this amendment today, and I ask all the Members of the House to oppose it.

The SPEAKER. The Speaker has a very important appointment. Will the gentleman from Armstrong please come to the desk to preside temporarily?

Mr. HELM IN THE CHAIR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Steckel.

Mr. STECKEL. Mr. Speaker, I would just like to answer the gentleman from York briefly.

The figures that the three men on that Board came up with go to the very heart in support of all the school districts, as to whether the appeals will be taken from their decision. I am sure that if the Board is required to present the evidence on which it based its figures, the number of appeals taken from there would certainly be diminished for this reason: presently an appealing dis-

trict does not know on what basis the Board has based its figure. Consequently it feels aggrieved and goes in with an appeal. Under these amendments the Board would present the basis of its figures, which it does not now do nor is it now required to do so. It does not have to adduce any testimony whatsoever.

Now I want to make clear there is no criticism of the Board's action, the figures that they have maintained. This is a procedural right so that the school districts who do appeal will find out on what the figures are based that they have presented to them. And I believe in that case they will perhaps have the reason for their appeal evaporate—when they find out the basis for those figures.

Mr. SCHWARTZ. Mr. Speaker, I understand, as Mr. Gailey did from the previous interrogation by the Majority Leader that he wanted to know the basis on which the appeal could be taken, and from Mr. Steckel's answer it appeared to me it was not an all-inclusive right of appeal, that it was not just on the basis that they were not satisfied. I inferred that he meant an appeal would lie in a case where a mistake had been made, an error had been made.

Then when Mr. Gailey interrogated the gentleman it appeared that the amendments as offered covered the entire field of appeal. In other words, as he expressed himself, in the event the school district was not satisfied, that gave them the right of appeal.

Now I agree with the Majority Leader that there should be appeals from any administrative agency through the Commonwealth court, but we get ourselves in a situation here where there is a possibility of 2300 appeals, which would make an intolerable situation not only for the Commonwealth court but for this particular agency, the Tax Equalization Board.

It seems to me there ought to be some delineation of the right of appeal here, that you just do not have an absolute right of appeal. It ought to be a question of error, or not necessarily just because the school district is dissatisfied with the award that was made. I think more consideration ought to be given to this amendment. I think, if necessary, this bill ought to lie over, and some real study should be made of how far-reaching this amendment is, and see if it cannot possibly be worded in such a way that we delineate this right of appeal, whether it be on procedural grounds, factual grounds or law. I think it is too far-reaching, the amendments as proposed at the present time.

Mr. STECKEL. Mr. Speaker, the process for appeal is already set forth in the Administrative Code, and the appeal would lie as set forth there. The State Tax Equalization Board is already included in the Administrative Code. There is no amendment to that.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill together with the amendments, be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2331, entitled:



An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township Chester County Pennsylvania now used for purposes of the Embreeville State Hospital Embreeville Pennsylvania to the Department of Public Instruction.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcell,
Bell,	Gelfand,	McLaughlin,	Schaaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Miller, B. Z.,	Snider,
Breth,	Heavey,	Miller, H. G.,	Stank,
Buchanan,	Helm,	Mills,	Steckel,
Burns,	Henzel,	Monroe,	Stewart,
Capano,	Hocker,	Muldowney,	Stimmel,
Capitolo,	Holliday,	Mullen,	Stone,
Cianfrani,	Holt,	Munley,	Stoner,
Cioffi,	Horst,	Murphy, P. J.,	Strausser,
Clarke,	Irviss,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Taylor,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Varallo,
Dengler,	Jones, F. R.,	Needham,	Varner,
Dennis,	Jones, T. H. W.,	Nelson,	Verona,
Dennison,	Jump,	O'Donnell, J. A.,	Wall,
Devlin,	Kamyk,	O'Donnell, J. P.,	Walsh,
Donahue,	Kee,	Odorisio,	Wargo,
Donaldson,	Keiser,	O'Neil,	Weidner,
Dougherty,	Kernaghan,	Parlante,	Wescott,
Down,	Kessler,	Pashley,	Wheeler,
Edwards,	Knecht,	Perry, H. H.,	Whittaker,
Ellberg,	Kooker,	Perry, P. E.,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Luigard,	Rigby,	Zimmerman,
Fox,	Lutty,	Riley,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.,	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476)

entitled as amended "An Act to regulate and establish the fees to be charged and collected by the recorder of deeds in counties of the second class" fixing fees to be charged collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcell,
Bell,	Gelfand,	McLaughlin,	Schaaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Miller, B. Z.,	Snider,
Breth,	Heavey,	Miller, H. G.,	Stank,
Buchanan,	Helm,	Mills,	Steckel,
Burns,	Henzel,	Monroe,	Stewart,
Capano,	Hocker,	Muldowney,	Stimmel,
Capitolo,	Holliday,	Mullen,	Stone,
Cianfrani,	Holt,	Munley,	Stoner,
Cioffi,	Horst,	Murphy, P. J.,	Strausser,
Clarke,	Irviss,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Taylor,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Varallo,
Dengler,	Jones, F. R.,	Needham,	Varner,
Dennis,	Jones, T. H. W.,	Nelson,	Verona,
Dennison,	Jump,	O'Donnell, J. A.,	Wall,
Devlin,	Kamyk,	O'Donnell, J. P.,	Walsh,
Donahue,	Kee,	Odorisio,	Wargo,
Donaldson,	Keiser,	O'Neil,	Weidner,
Dougherty,	Kernaghan,	Parlante,	Wescott,
Down,	Kessler,	Pashley,	Wheeler,
Edwards,	Knecht,	Perry, H. H.,	Whittaker,
Ellberg,	Kooker,	Perry, P. E.,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Petrosky,	Williams, E. S.,
Eshleman,	Kubitsky,	Polaski,	Willard,
Ewing,	Lamb,	Polen,	Willaredt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wilt,
Fetterolf,	Lee, K. B.,	Price,	Wood,
Filo,	Leonard,	Pursley,	Worley,
Fineman,	Limper,	Reibman,	Wynd,
Floyd,	Lippincott,	Reidenbach,	Yatron,
Flynn,	Lopresti,	Renwick,	Yetter,
Foerster,	Luigard,	Rigby,	Zimmerman,
Fox,	Lutty,	Riley,	Andrews,
Frank,	McCandless,		Speaker

## NAYS—0

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.,	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 2355, Printer's No. 1590,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 65, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varnier,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odorisio,	Weldner,
Dougherty,	Kernaghan,	O'Neill,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Ellberg,	Kooker,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

NAYS—0

NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 68, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" changing the provisions relating to bond required in awarding contracts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varnier,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odorisio,	Weldner,
Dougherty,	Kernaghan,	O'Neill,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Ellberg,	Kooker,	Perry, H. H.,	Williams, A.D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

NAYS—0

NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate



with information that the House of Representatives has passed the same without amendment.

### BILL PASSED OVER

There being no objection,

Senate Bill No. 107, Printer's No. 107, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 141, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" increasing the powers and duties of institution districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlena,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odorisio,	Weldner,
Dougherty,	Kernaghan,	O'Neil,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Ellberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reldenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

### NAYS—0

### NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 142, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" further defining persons eligible for public assistance.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader, Mr. McCann.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. A. W. JOHNSON. Mr. Speaker, there was confusion on our side as to just what a foster home is in this bill. As I understand the bill it amends the public assistance law by further defining persons eligible for public assistance, to make persons living in foster homes eligible for such assistance. Would you please explain what a foster home is within the meaning of this particular amendment?

Mr. McCANN. Mr. Speaker, a foster home is defined in two ways; first when you are dealing with children, and when you are dealing with adults. This deals with adults. A foster home is any home in which the county institutional district approves the placing of the individual in a home other than that of a relative of the person involved. For example, if I had a relative, a brother or sister, in the county institution district, and the county institution district desired to place him or her in a foster home, they could not place them in my home; they are my blood relatives. A foster home, speaking of adults, lies under the complete jurisdiction of the county institution district.

A foster home for children falls under the county institutional district in conjunction with the bureau dealing with children. There is another problem in which many items of religion and other things come into it in young children, but in adults, no.

Mr. A. W. JOHNSON. Another question then. Where would the county institution district be able to ascertain this definition of foster home which you have just given us? Is it in the Public Assistance Code, or is it in the rules and regulations of the department?

Mr. McCANN. It is in the rules and regulations of the Department of Public Welfare. The purpose behind this bill and the definition as needed is as follows: In various counties now they have county hospital homes, even. The patients, as they are called, are in the hospital, and they become somewhat better, thank goodness, or they improve, and to create the space, they can move these pa-

tients to foster homes where the county institution district, as well as the Commonwealth, assists in keeping these people. This law is needed for that purpose.

The Department of Public Welfare this morning, in a conference with the Secretary of that Department, Mrs. Ruth Gregg Horting, stated that no regulations can be written which can override the definition as given now because the county institution district has the responsibility, and they write and recommend the homes to be approved.

Mr. A. W. JOHNSON. I thank the gentleman.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boies,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irviss,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odorisio,	Weidner,
Dougherty,	Kernaghan,	O'Neill,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Elberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limpar,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

## NAYS—0

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 149, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to selection of city charter commissioners.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	Gelfand,	McLaughlin,	Schuster,
Boies,	George,	Machmer,	Schwartz,
Bonner,	Gibb,	Mahan,	Seltzer,
Boris,	Goldstein,	Markley,	Sherman,
Bower,	Goodrich,	Maxwell,	Shupnik,
Bowman,	Gramlich,	Meholchick,	Silverman,
Branca,	Guthrie,	Merry,	Snider,
Brenninger,	Hamilton,	Mihm,	Stank,
Breth,	Heavey,	Miller, B. Z.,	Steckel,
Buchanan,	Helm,	Miller, H. G.,	Stewart,
Burns,	Henzel,	Mills,	Stimmel,
Capano,	Hocker,	Monroe,	Stone,
Capitolo,	Holliday,	Muldowney,	Stoner,
Cianfrani,	Holt,	Mullen,	Strausser,
Cioffi,	Horst,	Munley,	Stroup,
Clarke,	Irviss,	Murphy, P. J.,	Taylor,
Comer,	Jenkins,	Murray, H. P.,	Tompkins,
Crossin,	Jim,	Murray, J. J.,	Trusio,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Varallo,
Davis,	Johnson, R.,	Musto,	Varner,
Dengler,	Jones, F. R.,	Naugle,	Verona,
Dennis,	Jones, T. H. W.,	Needham,	Wall,
Dennison,	Jump,	Nelson,	Walsh,
Devlin,	Kamyk,	O'Donnell, J. A.,	Wargo,
Donahue,	Kee,	O'Donnell, J. P.,	Weidner,
Donaldson,	Keiser,	Odorisio,	Wescott,
Dougherty,	Kernaghan,	O'Neill,	Wheeler,
Down,	Kessler,	Parlante,	Whittaker,
Edwards,	Knecht,	Pashley,	Williams, A. D., Jr.,
Elberg,	Kooker,	Perry, H. H.,	Williams, E. S.,
Eshback,	Kovolenko,	Perry, P. E.,	Willard,
Eshleman,	Kubitsky,	Petrosky,	Willaredt,
Ewing,	Lamb,	Polaski,	Wilt,
Farabaugh,	Lee, A. M.,	Polen,	Wood,
Fetterolf,	Lee, K. B.,	Prendergast,	Worley,
Filo,	Leonard,	Price,	Wynd,
Fineman,	Limpar,	Pursley,	Yatron,
Floyd,	Lippincott,	Reibman,	Yetter,
Flynn,	Lopresti,	Reidenbach,	Zimmerman,
Foerster,	Luigard,	Renwick,	Andrews,
Fox,	Lutty,	Rigby,	Speaker
Frank,	McCandless,	Riley,	

## NAYS—1

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing additional procedure for creating cities authorizing elections and permitting selection of a form of city government in such cases from among several optional plans and conferring powers and imposing duties on courts of quarter sessions county boards of elections and corporate authorities of town townships and boroughs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—186

Agnew,	Frascella,	McCandless,	Riley,
Anderson,	Fulmer,	McCann,	Rovanseck,
Arlene,	Galley,	McCormack,	Royer,
Balthaser,	Gallagher,	McDonald,	Rudisill,
Barton,	Garlock,	McInroy,	Sakulsky,
Bell,	Gelfand,	McKeever,	Scarcelli,
Boles,	George,	McLaughlin,	Schuster,
Bonner,	Gibb,	Machmer,	Schwartz,
Boris,	Goldstein,	Mahan,	Seltzer,
Bower,	Goodrich,	Markley,	Sherman,
Bowman,	Gramlich,	Maxwell,	Shupnik,
Branca,	Guthrie,	Meholchick,	Silverman,
Brenninger,	Hamilton,	Merry,	Snider,
Breth,	Heavey,	Mihm,	Stank,
Buchanan,	Helm,	Miller, B. Z.,	Steckel,
Burns,	Henzel,	Miller, H. G.,	Stewart,
Capano,	Hocker,	Mills,	Stimmel,
Capitolo,	Holliday,	Monroe,	Stone,
Cianfrani,	Holt,	Muldowney,	Stoner,
Cioffi,	Horst,	Mullen,	Strausser,
Clarke,	Irvis,	Munley,	Stroup,
Comer,	Jenkins,	Murphy, P. J.,	Taylor,
Crossin,	Jim,	Murray, H. P.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, J. J.,	Trusio,
Davis,	Johnson, R.,	Murray, P. G.,	Varallo,
Dengler,	Jones, F. R.,	Musto,	Varner,
Dennis,	Jones, T. H. W.,	Naugle,	Verona,
Dennison,	Jump,	Needham,	Wall,
Devlin,	Kamyk,	Nelson,	Walsh,
Donahue,	Kee,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kelser,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kernaghan,	Odorisio,	Wescott,
Down,	Kessler,	O'Neil,	Wheeler,
Edwards,	Knecht,	Parlante,	Williams, A. D., Jr.,
Ellberg,	Kooker,	Pashley,	Williams, E. S.,
Eshback,	Kovolenko,	Perry, H. H.,	Willard,
Eshleman,	Kubitsky,	Perry, P. E.,	Willaredt,
Ewing,	Lamb,	Petrosky,	Wilt,
Farabaugh,	Lee, A. M.,	Polaski,	Whittaker,
Fetterolf,	Lee, K. B.,	Polen,	Wood,
Fineman,	Leonard,	Prendergast,	Worley,
Filo,	Light,	Price,	Wynd,
Floyd,	Limper,	Pursley,	Yatron,
Flynn,	Lippincott,	Reibman,	Yetter,
Foerster,	Lopresti,	Reidenbach,	Zimmerman,
Fox,	Luigard,	Renwick,	Andrews,
Frank,	Lutty,	Rigby,	Speaker

#### NAYS—1

Schaaf,

#### NOT VOTING—21

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.,	Sullivan,
Blair,	Kornick,	O'Dell,	Thompson,
Brown,	Korns,	Ogilvie,	Ujebal,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 326, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing that applicants for the position of policeman or fireman need not be residents of the borough.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. GAILEY. Mr. Speaker, I move that this bill be re-committed to the Committee on Boroughs.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 356, entitled:

An Act amending the act of February 28, 1956 (P. L. 1154) entitled as amended "Incompetents' Estates Act of 1955" providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—186

Agnew,	Frascella,	McCann,	Rovanseck,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	George,	McLaughlin,	Schaaf,
Boles,	Gibb,	Machmer,	Schuster,
Bonner,	Goldstein,	Mahan,	Schwartz,
Boris,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Guthrie,	Meholchick,	Shupnik,
Branca,	Hamilton,	Merry,	Silverman,
Brenninger,	Heavey,	Mihm,	Snider,
Breth,	Helm,	Miller, B. Z.,	Stank,
Buchanan,	Henzel,	Miller, H. G.,	Steckel,
Burns,	Hocker,	Mills,	Stewart,
Capano,	Holliday,	Monroe,	Stimmel,
Capitolo,	Holt,	Muldowney,	Stone,
Cianfrani,	Horst,	Mullen,	Stoner,
Cioffi,	Irvis,	Munley,	Strausser,
Clarke,	Isaacs,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Kelser,	Odorisio,	Weidner,
Dougherty,	Kernaghan,	O'Neil,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Ellberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,

Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

## NAYS—1

Gelfand,

## NOT VOTING—21

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS PASSED OVER

There being no objection,

Senate Bill No. 436, Printer's No. 1355,

Senate Bill No. 639, Printer's No. 1356 and

Senate Bill No. 664, Printer's No. 1398,

Were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 732, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing that certain titles to real estate conveyed by cities shall be good and valid and free of any defects unless proceedings to attach such sales are brought within a prescribed period.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelll,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stroner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,

Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odoristo,	Weidner,
Dougherty,	Kernaghan,	O'Neill,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Ellberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

## NAYS—0

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.,	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 734, entitled:

An Act providing for combining trusts for the benefit of employes of the same employer upon approval by the court having jurisdiction of any one of such trusts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelll,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stroner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
	Jim,	Murray, J. J.,	Tompkins,
	Johnson, A. W.,	Murray, P. G.,	Trusio,



Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.	Wargo,
Donaldson,	Keiser,	O'Neil,	Weldner,
Dougherty,	Kernaghan,	Parlante,	Wescott,
Down,	Kessler,	Pashley,	Wheeler,
Edwards,	Knecht,	Perry, H. H.,	Williams, A. D., Jr.,
Eilberg,	Kooker,	Perry, P. E.,	Williams, E. S.,
Eshback,	Kovolenko,	Petrosky,	Willard,
Eshleman,	Kubitsky,	Polaski,	Willaredt,
Ewing,	Lamb,	Polen,	Wilt,
Farabaugh,	Lee, A. M.,	Prendergast,	Wood,
Fetterolf,	Lee, K. B.,	Price,	Worley,
Filo,	Leonard,	Pursley,	Wynd,
Fineman,	Limper,	Reibman,	Yatron,
Floyd,	Lippincott,	Reidenbach,	Yetter,
Flynn,	Lopresti,	Renwick,	Zimmerman,
Foerster,	Luigard,	Rigby,	Andrews,
Fox,	Lutty,	Riley,	Speaker
Frank,	McCandless,		

## NAYS—0

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 756, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" increasing the investment powers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Fulmer,	McCormack,	Royer,
Anderson,	Galley,	McDonald,	Rudisill,
Arlene,	Gallagher,	McInroy,	Sakulsky,
Balthaser,	Garlock,	McKeever,	Scarcelli,
Barton,	Garlock,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Helm,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Munley,	Stoner,
Cioffi,	Horst,	Mullen,	Strausser,
Clarke,	Irviss,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.,	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,

Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.	Wargo,
Donaldson,	Keiser,	Odorisio,	Weldner,
Dougherty,	Kernaghan,	O'Neil,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Eilberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker
Frascella,	McCann,	Rovansek,	

## NAYS—0

## NOT VOTING—21

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Sullivan,
Bell,	Kornick,	O'Dell,	Thompson,
Blair,	Korns,	Ogilvie,	Ujobal,
Brown,	Light,	Snare,	Welsh,
Cooper,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279) entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . ." further providing for the taking of exceptions to rulings of the trial judge.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Boles,	Gelfand,	McLaughlin,	Schaaf,
Bonner,	George,	Machmer,	Schuster,
Boris,	Gibb,	Mahan,	Schwartz,
Bower,	Goldstein,	Markley,	Seltzer,
Bowman,	Goodrich,	Maxwell,	Sherman,
Branca,	Gramlich,	Meholchick,	Shupnik,
Brenninger,	Guthrie,	Merry,	Silverman,
Breth,	Hamilton,	Mihm,	Snider,
Buchanan,	Heavey,	Miller, B. Z.,	Stank,
Burns,	Helm,	Miller, H. G.,	Steckel,
Capano,	Henzel,	Mills,	Stewart,
Capitolo,	Hocker,	Monroe,	Stimmel,
Cianfrani,	Holliday,	Muldowney,	Stone,
Cioffi,	Holt,	Mullen,	Stoner,
Clarke,	Horst,	Munley,	Strausser,
Comer,	Irviss,	Murphy, P. J.,	Stroup,
Crossin,	Jenkins,	Murray, H. P.,	Taylor,
Curwood,	Jim,	Murray, J. J.,	Tompkins,
	Johnson, A. W.,	Murray, P. G.,	Trusio,

Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odorisio,	Weidner,
Dougherty,	Kernaghan,	O'Neill,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Eilberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.,
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reibman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

## NAYS—0

## NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection,

Senate Bill No. 832, Printer's No. 1027, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 852, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—180

Agnew,	Galley,	McInroy,	Royer,
Anderson,	Gallagher,	McKeever,	Rudisill,
Arlene,	Garlock,	McLaughlin,	Sakulsky,
Balthaser,	Gelfand,	Machmer,	Scarcelli,
Barton,	George,	Mahan,	Schaaf,
Boris,	Gibb,	Markley,	Schuster,
Boles,	Goldstein,	Maxwell,	Schwartz,
Bonner,	Gramlich,	Meholchick,	Seltzer,
Bowman,	Guthrie,	Merry,	Sherman,
Branca,	Hamilton,	Mihm,	Shupnick,
Brenninger,	Heavey,	Miller, B. Z.,	Silverman,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Holliday,	Monroe,	Steckel,
Capano,	Holt,	Muldowney,	Stewart,

Capitolo,	Horst,	Mullen,	Stimmel,
Cianfrani,	Irviss,	Munley,	Stone,
Cioffi,	Jenkins,	Murphy, P. J.,	Stoner,
Clarke,	Jim,	Murray, H. P.,	Strausser,
Comer,	Johnson, A. W.	Murray, J. J.,	Stroup,
Crossin,	Johnson, R.,	Murray, P. G.,	Taylor,
Curwood,	Jones, F. R.,	Musto,	Tompkins,
Davis,	Jones, T. H. W.,	Naugle,	Trusio,
Dengler,	Jump,	Needham,	Varallo,
Dennis,	Kamyk,	Nelson,	Varner,
Dennison,	Kee,	O'Donnell, J. A.,	Verona,
Devlin,	Keiser,	O'Donnell, J. P.	Wall,
Donahue,	Kernaghan,	Odorisio,	Walsh,
Donaldson,	Knecht,	O'Neill,	Wargo,
Dougherty,	Kooker,	Parlante,	Weidner,
Down,	Kovolenko,	Pashley,	Wescott,
Edwards,	Kubitsky,	Perry, H. H.,	Wheeler,
Eilberg,	Lamb,	Perry, P. E.,	Whittaker,
Eshback,	Lee, A. M.,	Petrosky,	Williams, A. D., Jr.,
Eshleman,	Lee, K. B.,	Polaski,	Williams, E. S.,
Ewing,	Leonard,	Polen,	Willard,
Farabaugh,	Light,	Prendergast,	Willaredt,
Filo,	Limper,	Price,	Wilt,
Fineman,	Lippincott,	Pursley,	Wood,
Floyd,	Lopresti,	Reibman,	Wynd,
Flynn,	Luigard,	Reidenbach,	Yatron,
Foerster,	Lutty,	Renwick,	Yetter,
Fox,	McCandless,	Rigby,	Zimmerman,
Frank,	McCann,	Riley,	Andrews,
Frascella,	McCormack,	Rovansek,	Speaker
Fulmer,	McDonald,		

## NAYS—7

Bell,	Fetterolf,	Hocker,	Worley,
Bower,	Goodrich,	Kessler,	

## NOT VOTING—21

Ashton,	Heffner,	Moran,	Stevens,
Auker,	Isaacs,	Murphy, A. J., Jr.	Sullivan,
Blair,	Kornick,	O'Dell,	Thompson,
Brown,	Korns,	Ogilvie,	Ujobal,
Cooper,	Magee,	Snare,	Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 925), page 3, lines 2 and 3, by striking out "previously," and inserting: "prior to the effective date of this act."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time?

Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.



Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack Montgomery County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—187

Agnew,	Frascella,	McCann,	Rovansek,
Anderson,	Fulmer,	McCormack,	Royer,
Arlene,	Galley,	McDonald,	Rudisill,
Balthaser,	Gallagher,	McInroy,	Sakulsky,
Barton,	Garlock,	McKeever,	Scarcelli,
Bell,	Gelfand,	McLaughlin,	Schaaf,
Boles,	George,	Machmer,	Schuster,
Bonner,	Gibb,	Mahan,	Schwartz,
Boris,	Goldstein,	Markley,	Seltzer,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	Meholchick,	Shupnik,
Branca,	Guthrie,	Merry,	Silverman,
Brenninger,	Hamilton,	Mihm,	Snider,
Breth,	Heavey,	Miller, B. Z.,	Stank,
Buchanan,	Heim,	Miller, H. G.,	Steckel,
Burns,	Henzel,	Mills,	Stewart,
Capano,	Hocker,	Monroe,	Stimmel,
Capitolo,	Holliday,	Muldowney,	Stone,
Cianfrani,	Holt,	Mullen,	Stoner,
Cioffi,	Horst,	Munley,	Strausser,
Clarke,	Irvis,	Murphy, P. J.,	Stroup,
Comer,	Jenkins,	Murray, H. P.	Taylor,
Crossin,	Jim,	Murray, J. J.,	Tompkins,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Trusio,
Davis,	Johnson, R.,	Musto,	Varallo,
Dengler,	Jones, F. R.,	Naugle,	Varner,
Dennis,	Jones, T. H. W.,	Needham,	Verona,
Dennison,	Jump,	Nelson,	Wall,
Devlin,	Kamyk,	O'Donnell, J. A.,	Walsh,
Donahue,	Kee,	O'Donnell, J. P.,	Wargo,
Donaldson,	Keiser,	Odorisio,	Weidner,
Dougherty,	Kernaghan,	O'Neil,	Wescott,
Down,	Kessler,	Parlante,	Wheeler,
Edwards,	Knecht,	Pashley,	Whittaker,
Eilberg,	Kooker,	Perry, H. H.,	Williams, A. D., Jr.
Eshback,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Eshleman,	Kubitsky,	Petrosky,	Willard,
Ewing,	Lamb,	Polaski,	Willaredt,
Farabaugh,	Lee, A. M.,	Polen,	Wilt,
Fetterolf,	Lee, K. B.,	Prendergast,	Wood,
Filo,	Leonard,	Price,	Worley,
Fineman,	Limper,	Pursley,	Wynd,
Floyd,	Lippincott,	Reisman,	Yatron,
Flynn,	Lopresti,	Reidenbach,	Yetter,
Foerster,	Luigard,	Renwick,	Zimmerman,
Fox,	Lutty,	Rigby,	Andrews,
Frank,	McCandless,	Riley,	Speaker

#### NAYS—0

#### NOT VOTING—21

Ashton,	Isaacs,	Moran,	Stevens,
Auker,	Kornick,	Murphy, A. J., Jr.,	Sullivan,
Blair,	Korns,	O'Dell,	Thompson,
Brown,	Light,	Ogilvie,	Ujobai,
Cooper,	Magee,	Snare,	Welsh,
Heffner,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS ON FINAL PASSAGE POSTPONED

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 1906 on page 8 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN, the House resumed the consideration on final passage of House Bill No. 1906, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further regulating the use of resident hunter's license fees.

#### RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1401), page 3, line 15, by inserting after "LANDS": "and that no such funds shall be used for the acquisition of lands in counties of the sixth, seventh and eighth classes."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Are these Amendments controversial?

Mr. McCANN. Mr. Speaker, the gentlemen debating and working on this, I believe, Mr. Renwick, Mr. Tompkins, Mr. Breth, different ones, agreed on these amendments. Mr. Breth is here now and we can proceed.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman who offered these amendments.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. Mr. Speaker, if the gentleman will confer with me privately for about 30 seconds I believe I can answer the question he has in mind.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

All remaining bills on the calendar not acted upon were passed over at the request of Mr. McCANN.

#### ANNOUNCEMENTS

Mr. Speaker and the Members of the House, the House will be in session three days next week, Monday, Tuesday and Wednesday. The caucus will be at the usual hour and we are getting in position to finish all the con-

currences in one day next week, very likely Monday. All the resolutions will be acted upon either Monday or Tuesday. Mr. Speaker, there will be some highly controversial bills on the calendar for voting both Monday and Tuesday. The House will be in session three days.

### REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. I just want to announce, Mr. Speaker, that quite a number of bills came out of committee today, therefore it will be necessary that we caucus next Monday at the regular time two o'clock.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. T. H. W. JONES asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

### RESOLUTION

#### MONTGOMERY COUNTY

Messrs. T. H. W. JONES, R. P. JOHNSON, Willaredt, BRENNINGER, FETTEROLF and Mrs. HENZEL asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, September 10, 1959.

Today, September 10, 1959, marks the 175th Anniversary of the founding of Montgomery County.

The scenic area now known as Montgomery County played an important role in the founding of our young and struggling colonies. It is there that such historic sites as Valley Forge Park and Fort Washington Park attest to and recall to our minds the great sacrifices that were made by our forefathers in establishing our freedom and democratic way of life.

Throughout the years, Montgomery County has prospered and played an important role in the history of our Commonwealth. Several governors and numerous outstanding legislators in both State and Federal Government have been residents of Montgomery County; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby extends to Montgomery County its hearty congratulations on the 175th Anniversary of its founding.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. ANDERSON asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by her.

### RESOLUTION

#### CONDOLENCE

Mrs. ANDERSON, Messrs. SCHWARTZ, HOLT, HEAVEY, DOUGHERTY, MULLEN and J. P. O'DONNELL asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, September 10, 1959.

Former State Senator John J. McCreesh passed away Wednesday, September 9, 1959, at his home at 4202 Walnut Street, Philadelphia, Pennsylvania, at the age of 83.

John J. McCreesh was born in County Armagh, Ireland, in 1881, attended public schools there, and came to Philadelphia at an early age where he became engaged in the garage and real estate business. Senator McCreesh first became interested in politics in 1926, and in 1928

he organized a campaign for Governor Alfred E. Smith, of New York, running for President. He was elected to the Pennsylvania State Senate in 1934 and served through 1946; was reelected in 1950 and served until 1958, when he retired.

Throughout the more than twenty years that John J. McCreesh served as a member of the Senate of Pennsylvania, he capably and consistently worked for legislation for the betterment of his constituency and Pennsylvania as a whole. Among the many laws which he was instrumental in enacting were the blind pension bill in 1935, phases of the Workmen's Compensation Act of 1937, the weekly day-off bill for Philadelphia policemen, the Sunday polo bill, and the Commodore Barry Day bill.

In our many years of association with John McCreesh, we learned to honor and respect him as a gentleman and a devoted public servant. His long and outstanding service will serve as an inspiration for all of us, and especially for his son, Senator Thomas P. McCreesh, who is now carrying on in his father's footsteps; therefore be it

Resolved, That the members of the House of Representatives of Pennsylvania pause a moment in memory of our friend, Senator John J. McCreesh, and express our most sincere sympathy to his loved ones upon their recent loss and bereavement; and, be it further

Resolved, That a copy of this resolution be presented to Senator Thomas P. McCreesh as the representative of the survivors of John J. McCreesh.

On the question,

Will the House adopt the resolution?

Mr. McCORMACK. Mr. Speaker, if I am in order, I would like to say just a word on that resolution.

The SPEAKER pro tempore. The gentleman is in order and may speak on the resolution.

Mr. McCORMACK. Mr. Speaker, although my name is not on that resolution, since the late Senator McCreesh was a close personal friend of mine, I feel constrained to add a few words as to the type of man he was. He was one of the most colorful men who ever graced the halls of either chamber of the House. He was a great sportsman and a man of charity. We regret and mourn his loss, and I feel his loss is an irreplaceable one in the Hall of this Legislature. I know his family. He was an outstanding family man. I know his children well. The loss is a great one, and I think this resolution is a fine thing.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

### REPORTS FROM COMMITTEE

Mr. HOLT from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1563, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), eliminating certain provisions relating to corporate fiduciaries.

Mr. SHERMAN from the Committee on Education, reported as committed, House Bill No. 2174, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the election of district superintendents and assistant superintendents in district of the third class.

Mr. Zimmerman from the Committee on Boroughs, reported as committed, House Bill No. 2319, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.



## BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1563, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), eliminating certain provisions relating to corporate fiduciaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2174, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the election of district superintendents and assistant superintendents in districts of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2319, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## RESOLUTION

Mr. P. E. PERRY offered a resolution which was filed with the Clerk under the Rules.

## BILLS INTRODUCED AND REFERRED

By Messrs. WYND, ZIMMERMAN and GOODRICH.  
HOUSE BILL No. 2368.

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the compensation of auditors.

Referred to the Committee on Rules.

By Messrs. KEE and McKEEVER.

HOUSE BILL No. 2369.

An Act making an appropriation to the Department of Forest and Waters for a flood control project in Philadelphia.

Referred to the Committee on Appropriations.

By Mr. WORLEY (By Request).

HOUSE BILL No. 2370.

An Act making an appropriation to the Dept. of Agriculture for paying farmers for damages to fruit trees and crops caused by deer.

Referred to the Committee on Appropriations.

By Messrs. POLEN, REIDENBACH, STRAUSSER, Mrs. MARKLEY and Mr. BONNER. HOUSE BILL No. 2371.

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No.

77), changing definition of final average salary for classroom teachers with thirty-five or more year of service.

Referred to the Committee on Education.

## RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MIHM and FULMER.

RESOLUTION No. 109

In the House of Representatives, September 10, 1959.

Whereas, The inflationary trend of the last few decades has worked considerable hardship on all recipients of fixed dollar incomes; and

Whereas, This trend appears likely to extend into the future; and

Whereas, The General Assembly has provided for increases in the retirement allowances of annuitants; and

Whereas, Many bills proposing such increases have been introduced at recent sessions of the General Assembly; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a comprehensive study of the effects of inflation upon retired State and public school employes, of various methods of providing for cost of living adjustments in retirement allowances and of alternative methods of financing such adjustments and to report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. KEE and McKEEVER.

RESOLUTION No. 110.

In the House of Representatives, September 20, 1959.

The Frankford and northeastern areas of Philadelphia have been repeatedly inundated in flash floods because of the inadequacy of the Wakeling Street sewer system.

The city of Philadelphia was appropriated money for construction of a large relief sewer which is scheduled for completion in 1961. However the damage to buildings in the area has been so extensive that many of them will have been destroyed by 1961, unless immediate action is taken.

The Wakeling Street sewer system follows the line of an old creek and flows into Frankford Creek; therefore be it

Resolved, That the Department of Forests and Waters be requested to investigate into the matter and determine the extent to which that department can lend assistance; and be it further

Resolved, That the Department of Forests and Waters be urged to take all action within its lawful power which will assist in relieving this condition; and be it further

Resolved, That a copy of this resolution be forwarded to the Secretary of Forests and Waters.

Referred to the Committee on Rules.

By Messrs. WORLEY and CIANFRANI.

RESOLUTION No. 111.

In the House of Representatives, September 10, 1959.

Numerous attempts have been made to abolish capital punishment within this Commonwealth and provide for the substitution of a life sentence in lieu thereof. It is the feeling of many persons that capital punishment is long outmoded and is not in keeping with the religious, moral or social standards of today; therefore, be it

Resolved, That the Joint State Government Commission be directed to conduct a thorough study of capital punishment throughout the United States, and to submit to the next session of the General Assembly its findings and recommendations in regard to the abolition thereof.

Referred to the Committee on Rules.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

## SENATE BILL No. 971.

An Act amending the act of June 1 1959 (Act No. 78) entitled "State Employes' Retirement Code of 1959" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances and further providing for computation of withdrawal allowances for members of Class E who served on the Supreme or Suprior Courts.

Referred to the Committee on Rules.

## SENATE BILL No. 1051.

An Act amending the act of June 24 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of starter pistols to minors.

Referred to the Committee on Law and Order.

## SENATE BILL No. 1089.

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" exempting blind veterans from the payment of certain fees in connection with motor vehicles.

Referred to the Committee on Highways.

## SENATE BILL No. 1093.

An Act to provide for the incorporation of Regional Business Development Credit Corporations to assist promote and encourage through their institutional and corporate stockholders the development of property and advancement of business and economic welfare of various regions of the Commonwealth prescribing their powers and duties and conferring certain powers and duties on the Department of Banking.

Referred to the Committee on Rules.

## SENATE BILL No. 1094.

An Act amending the act of May 17, 1921 (P. L. 682)

entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

Referred to the Committee on Rules.

## SENATE BILL No. 1095.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

Refred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 1096.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business development credit corporations.

Referred to the Committee on Banking and Building and Loan Associations.

## SENATE BILL No. 1131.

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing for additional payments to certain pensioned or retired employes.

Referred to the Committee on Cities—Counties Second and Second Class A.

## SENATE RESOLUTION SERIAL No. 113

Referred to the Committee on Rules.

## ADJOURNMENT

Mr. GAILEY. Mr. Speaker, I move that this House do now adjourn until Monday, September 14, 1959 at 3:30 p.m. EST.

The motion was agreed to, and (at 2:50 p.m. EST) the House adjourned.





# Legislative Journal.

Session 1959.

143rd of the General Assembly.

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HARRISBURG, PA., MONDAY, SEPTEMBER 14, 1959.

No. 91.

## SENATE

MONDAY, September 14, 1959.

The Senate met at 2:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

## PRAYER

The Chaplain, RABBI GERALD I. WOLFE, of Temple Beth El, Harrisburg, offered the following prayer:

Almighty God, Thou hast endowed Thy children with the divine gift of law, by its order to dispel anarchy, through its direction to attain community progress and by its insights to dispense justice.

In this historic Hall are those whose utilization of this law will determine the welfare of our beloved Commonwealth. We pray, O Heavenly Father, that the holy nature of their work will guide them in their deliberations, and that from their collective insights the physical and spiritual growth of Pennsylvania will be assured.

By our efforts, may the principles so vividly enunciated within our Commonwealth three centuries ago become the inspiration for people throughout the earth, elevating them to their own democratic self-determination and thus assuring to our weary world the balm of Thy promised universal peace. Amen.

## JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

## COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 685, 815 and 831

SEPTEMBER 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 685, Printer's No.

746, entitled "An Act repealing section 802 of the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' relating to the use of textbooks for a period of not less than five years."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 815, Printer's No. 941, entitled "An Act amending the act of April 14, 1927 (P. L. 297), entitled 'An act authorizing any natural gas company or any manufactured gas company incorporated under the laws of this Commonwealth to sell assign dispose of convey or lease to any natural gas company or to any manufactured gas company incorporated under the laws of this Commonwealth its franchises and property or any part thereof providing the manner in which such sales conveyances or leases shall be consummated and requiring the payment of all taxes due the Commonwealth before the returns authorizing such sales conveyances and leases shall be filed in the office of the Secretary of the Commonwealth' clarifying provisions governing the power to transfer corporate franchises municipal consents and corporated property real personal or mixed changing provisions related to the manner in which such transfers shall be consummated eliminating the requirement of certificates evidencing payment of taxes changing requirements for filing returns with the Secretary of the Commonwealth and confirming prior transfers made in substantial compliance with provisions of the act of April 14, 1927 (P. L. 297), as amended."

DAVID L. LAWRENCE

September 11, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 831, Printer's No. 1009, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' further providing for the determination of tuition charges for pupils of other districts."

DAVID L. LAWRENCE

## NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:



## JUSTICE OF THE PEACE

September 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clifford Taylor, 114 Main Street, Wattsburg, Erie County, for appointment as Justice of the Peace in and for the Borough of Wattsburg, Erie County, to serve until the first Monday of January 1960, vice Evert L. Pringle, resigned.

DAVID L. LAWRENCE.

## HOUSE MESSAGES

## HOUSE CONCURS IN SENATE BILL No. 65

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 65, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," changing the provisions relating to bond required in awarding contracts, with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 68

He also returned to the Senate, Senate Bill No. 68, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," changing the provisions relating to bond required in awarding contracts.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 142

He also returned to the Senate, Senate Bill No. 142, entitled:

An Act amending the act of June 24, 1937 (P. L. 2001), entitled "Public Assistance Law," further defining persons eligible for public assistance.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 149

He also returned to the Senate, Senate Bill No. 149, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," changing provisions relating to selection of city charter commissioners.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 161

He also returned to the Senate, Senate Bill No. 161, entitled:

An Act amending the act of June 23, 1931 (P. L. 982), entitled "The Third Class City Code," providing an additional procedure for creating cities; authorizing elections and permitting selection of a form of city government in such cases from among several optional plans; and conferring powers and imposing duties on courts of quarter sessions, county boards of elections and corporate authorities of towns, townships and boroughs.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 732

He also returned to the Senate, Senate Bill No. 732, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "Third Class City Code," providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any debts unless proceedings to attach such sales are brought within a prescribed period.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 734

He also returned to the Senate, Senate Bill No. 734, entitled:

An Act providing for combining trusts for the benefit of employes of the same employer upon approval by the court having jurisdiction of any one of such trusts.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 756

He also returned to the Senate, Senate Bill No. 756, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," increasing the investment powers.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 824

He also returned to the Senate, Senate Bill No. 824, entitled:

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record of this Commonwealth; . . ." further providing for the taking of exceptions to rulings of the trial judge.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 852

He also returned to the Senate, Senate Bill No. 852, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL No. 1104

He also returned to the Senate, Senate Bill No. 1104, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and

convey an easement in lands situate in the Township of Skippack, Montgomery County.

with the information that the House has passed the same without amendments.

#### SENATE BILL No. 141 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 141, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," increasing the powers and duties of institution districts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

#### SENATE BILL No. 356, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 356, entitled:

An Act amending the act of February 28, 1956 (P. L. 1154), entitled, as amended, "Incompetents' Estates Act of 1955," providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1649, entitled:

An Act defining and providing for the licensing of adult day care centers, conferring powers and imposing duties on the Department of Public Welfare.

Which was committed to the Committee on Rules.

House Bill No. 1726, entitled:

An Act amending "The Administration Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Property and Supplies to acquire title to real property and to provide for the construction of public buildings thereon by rental purchase contracts.

Which was committed to the Committee on Rules.

House Bill No. 1854, entitled:

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

Which was committed to the Committee on Rules.

House Bill No. 2240, entitled:

An Act amending the "Commerce Law," approved May 10, 1939 (P. L. 111) providing for the establishment and

maintenance by the Department of Commerce of a business technical information program.

Which was committed to the Committee on Rules.

House Bill No. 2331, entitled:

An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township, Chester County, Pennsylvania, now used for purposes of the Embreeville State Hospital, Embreeville, Pennsylvania, to the Department of Public Instruction.

Which was committed to the Committee on Rules.

House Bill No. 2353, entitled:

An Act amending the act of June 12, 1919 (P. L. 476) entitled, as amended, "An act to regulate and establish the fees to be charged and collected by the recorder of deeds, in counties of the second class," fixing fees to be charged, collected and paid by counties for exemplification of certain military or naval discharges and certificates of service.

Which was committed to the Committee on Rules.

#### BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 65, Printer's No. 65;  
Senate Bill No. 68; Printer's No. 68;  
Senate Bill No. 142, Printer's No. 904;  
Senate Bill No. 149, Printer's No. 232;  
Senate Bill No. 161, Printer's No. 233;  
Senate Bill No. 732, Printer's No. 813;  
Senate Bill No. 734, Printer's No. 815;  
Senate Bill No. 756, Printer's No. 862;  
Senate Bill No. 824, Printer's No. 950;  
Senate Bill No. 852, Printer's No. 1104;  
Senate Bill No. 1104, Printer's No. 1310;  
House Bill No. 1383, Printer's No. 784;  
House Bill No. 1437, Printer's No. 637;  
House Bill No. 1945, Printer's No. 1215;  
House Bill No. 2162, Printer's No. 1067;  
House Bill No. 2219, Printer's No. 1218; and  
House Bill No. 2315, Printer's No. 1348.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

##### MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. R. Womer, Meadowbrook Terrace, Bedford, Bedford County, for appointment as a member of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice John H. Moorehead, Bedford, resigned.

DAVID L. LAWRENCE.



## JUSTICE OF THE PEACE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Martin Burket, Bedford Street, Claysburg, Blair County, for appointment as Justice of the Peace in and for the Township of Greenfield, Blair County, to serve until the first Monday of January 1960, vice Grover Immler, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF  
SELINGSGROVE STATE HOSPITAL

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Andrew Zendt, Mifflin, Juniata County, for appointment as a member of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice G. Herbert Miller, Richfield, whose term expired.

DAVID L. LAWRENCE.

## JUSTICE OF THE PEACE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred M. Durso, 400 West Wayne Avenue, Wayne, Delaware County, for appointment as Justice of the Peace in and for the Township of Radnor, Delaware County, to serve until the first Monday of January 1960, vice Thomas A. Hobson, deceased.

DAVID L. LAWRENCE.

## REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 958, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), including costs of grading and interests thereon in computing reimbursable rentals.

He also, from the Committee on Rules reported as committed, Senate Bill No. 1133, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating membership and compensation of the State Board of Barber Examiners and imposing duties on the board.

He also, from the Committee on Rules reported as committed, Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes," changing certain fees fixed by the act.

He also, from the Committee on Rules reported as committed, Senate Bill No. 1160, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the designation by nonresidents of the Secretary of Revenue as the agent for service of process.

He also, from the Committee on Rules reported as committed, House Bill No. 1554, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conducts of any general business, either civil or criminal, by judges of any court of record; . . ." authorizing the Supreme Court of Pennsylvania to make rules for the orphans courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

He also, from the Committee on Rules reported as committed, House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

He also, from the Committee on Rules reported as committed, House Bill No. 1907, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying the provisions relating to shooting across or at wild birds or animals on highways.

He also, from the Committee on Rules reported as committed, House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," changing the procedures for the handling of patients' funds.

He also, from the Committee on Rules reported as committed, House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958, concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs; and conferring powers and imposing duties on the State Treasurer, the State Council of Education and the State Board for National Education.

He also, from the Committee on Rules reported as committed, House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset State Hospital in the Department of Public Welfare and making an appropriation.

He also, from the Committee on Rules reported as committed, House Bill No. 2172, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

He also, from the Committee on Rules reported as committed, House Bill No. 2203, entitled:

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242), permitting reciprocal licensure of foreign applicants.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 13, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges, in connection with capital improvements to the Ebensburg State School.

Mr. WHALLEY, from the Committee on Forests and Waters, reported as committed, House Bill No. 997, entitled:

An Act designating the whitetail deer as the official State animal.

He also, from the Committee on Forests and Waters, reported as committed, House Bill No. 1701, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), providing that the commission fix the periods for shooting on regulated shooting grounds.

#### BIRTHDAY FELICITATIONS EXTENDED TO SENATOR J. IRVING WHALLEY

The PRESIDENT. With reference to the Senator who just made the two reports from committee, I wish to call the attention of the Senate to the fact that Senator Whalley is celebrating his birthday today. He has chosen to spend it with us, which we appreciate very much.

I have been asked by his friends in Windber to wish him a very happy birthday, in which wish I join.

Mr. BERGER. Mr. President, I wish to make a statement not under the heading of Reports from Committees, but apropos of what the Chair just said relating to Senator Whalley's birthday.

Senator Whalley had planned, at our request, to occupy the dais for a few minutes today and speak upon Russia, due to the eminent visit of the Premier of Russia who will arrive tomorrow. It would have coincided nicely with his birthday and we would have been interested in hearing it today. However, in the interest of time, he has deferred until tomorrow because his companion, Senator Pechan, who was with him in Russia, will not be here until tomorrow.

The PRESIDENT. We have been looking forward to that report and we will anxiously await tomorrow.

#### REPORT OF COMMITTEE OF CONFERENCE

##### ON HOUSE BILL No. 1023

Mr. STEVENSON. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1023, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), changing the publication provisions relating to auditors reports.

The PRESIDENT. The report will lie over for printing under the rules.

#### BILLS INTRODUCED AND REFERRED

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 1173, entitled:

An Act amending the act of December 5, 1936 (P. L. 2897), entitled "Unemployment Compensation Law," to define certain terms; to require wage and separation information to be filed by employers; to modify eligibility and disqualification provisions, payments and rates of compensation; to revise and increase rates of contribution;

to limit scope of contribution appeals; and to repeal certain provisions concerning employes under Shipping Articles.

Which was committed to the Committee on Rules.

Messrs. MULLIN and WADE read in place and presented to the Chair Senate Bill No. 1174, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring that vehicles be equipped with a series of lights indicating the speed at which they are traveling.

Which was committed to the Committee on Rules.

#### SENATE RESOLUTION

##### "COMMODORE JOHN BARRY DAY"

Messrs. McCREESH, WEINER and ROONEY offered the following resolution (Serial No. 63), which was read, considered and agreed to:

In the Senate, September 14, 1959.

Sunday, September 13, was the anniversary of the birth of John Barry, the Irish immigrant who became the father of the American navy.

Commodore Barry commanded the first American fleet to sail from Philadelphia and engage the British navy in battle. Commanding the "Lexington" he captured the "Edward," the first British naval vessel taken by the Americans. During the remainder of the war, he captured three more British ships.

Commodore Barry's contribution to the success of the American Revolution was of such importance that without it our victory was indeed doubtful, therefore be it

Resolved, That the Senate of Pennsylvania officially take note of "Barry Day" and command all those taking part in ceremonies doing honor to this great Irish-American hero, who was so closely associated with our State.

#### SENATE CONCURRENT RESOLUTIONS

##### WORLD REFUGEE YEAR

Messrs. WEINER, BERGER, McCREESH, KALMAN and BARR offered the following resolution (Serial No. 119), which was read, considered and agreed to:

In the Senate, September 14, 1959.

Whereas, Pennsylvania was founded out of concern for the oppressed, and

Whereas, the existence of millions of refugees in the world today presents a challenging opportunity for alleviation of their plight, and

Whereas, the United States has recognized the extent and gravity of the international refugee situation by designating a World Refugee Year, co-sponsoring a United Nations resolution which overwhelmingly passed the last General Assembly, and

Whereas, the President of the United States in a Proclamation has urged all United States citizens to support generously the programs developed by the United States Committee for Refugees and by other voluntary welfare agencies, therefore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania (the House of Representatives concurring) record its approval of the observance of World Refugee Year between July 1, 1959 and June 30, 1960, and recommends the wholehearted support of its humanitarian objectives by the citizens of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.



### DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY CAPITAL PUNISHMENT

Messrs. MULLIN, KELLER, WALKER, and SEYLER offered the following resolution (Serial No. 120), which was read and referred to the Committee on Rules:

In the Senate, September 14, 1959.

The abolition of capital punishment is an extremely controversial subject and one which should be approached with a knowledge of all available facts and statistics. In order that the General Assembly may intelligently consider such legislation, it is imperative that a thorough study be made to make this information available; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to undertake an intensive study of capital punishment and its effect upon society, and to submit its findings, together with its recommendations on whether or not capital punishment should be abolished in this Commonwealth, to the next session of the General Assembly.

### SENATE RESOLUTIONS

#### CONGRATULATING THE BOROUGH OF DOWNINGTOWN ON THE ONE HUNDREDTH ANNIVERSARY OF ITS INCORPORATION

Mr. HARNEY offered the following resolution (Serial No. 64), which was read, considered and agreed to:

In the Senate, September 14, 1959.

This year the Borough of Downingtown is celebrating the 100th anniversary of its incorporation. Although not incorporated until 1859, the area was known as Downingtown for nearly one hundred years prior to that time. First settled in 1710, the community steadily grew and became an important industrial center to the early settlers and played an extremely important part in the French and Indian War and later in the American Revolution. Halfway between Philadelphia and Lancaster, it was the lodging place for travelers journeying between those cities and thus its famous inns were host to many of the famous patriots of the time, including General George Washington, and the Continental Congress who held one session there.

The community is proud of its heritage and proud of its prominent place in the history of our State and our Nation; therefore be it

Resolved, That the Senate of Pennsylvania congratulate the Borough of Downingtown on this one hundredth anniversary if its incorporation, and commend the people of Downingtown for the wonderful display of community spirit and pride which marks their centennial celebration; and be it further

Resolved, That the Senate congratulate the Downingtown Centennial Celebration Committees Directors and Officers on the success of their endeavor and express our gratitude for the many hours of hard work they put into it.

#### EXTOLLING THE SIGNIFICANCE OF THE DEDICATION OF THE MEMORIAL BUILDING AT WASHINGTON CROSSING ON SEPTEMBER 19, 1959

Mr. KELLER offered the following resolution (Serial No. 65), which was read, considered and agreed to:

In the Senate, September 14, 1959.

On Christmas night 1776, George Washington's most famous military exploit—crossing the ice-jammed Delaware River to Trenton where he courageously defeated the British—provided America with what has been called its "Very Own Christmas Story."

This brilliant attack, organized and launched on Pennsylvania soil, was accomplished through the heroism of a handful of patriot soldiers and regiment of seafaring men from Marblehead, Massachusetts, who risked their lives for liberty.

To commemorate this famous crossing of the Delaware, the Commonwealth of Pennsylvania, on July 25, 1917, by Act of Assembly, authorized Washington Crossing State Park as a living memorial. A brownstone monument in the park marks the site of the crossing.

On July 10, 1958, the ground was broken for the Washington Crossing Memorial Building to be dedicated Saturday, September 19, 1959. Built in the form of a keystone, thus honoring Pennsylvania as the site on which the key event of the Revolution occurred, this building is honored by the presence of America's favorite historical painting, "Washington Crossing the Delaware," by Emanuel Leutze. This magnificent oil was presented by John S. Kennedy, President of the Museum, to the Metropolitan Museum of Art, who have kindly lent it to the Washington Crossing State Park.

The memorial building where this wonderful painting will be displayed will be more than a reception center, however. The painting will be shown in an impressive setting with patriotic background music and a recording emphasizing the highlights of this heroic period in American and Pennsylvania history.

Resolved, That the members of the Senate in the name of the people of Pennsylvania join the entire nation in extolling the significance of the dedication of the memorial building at Washington Crossing on September 19, 1959, and that a copy of this resolution be sent to the Washington Crossing Park Commission, the Metropolitan Museum of Art, New York, and to the Town council of Marblehead, Massachusetts.

#### CONGRATULATIONS OF THE SENATE EXTENDED TO LOUIS G. FELDMANN UPON BEING ELECTED COMMANDER-IN-CHIEF OF THE VETERANS OF FOREIGN WARS

Messrs. FLACK, MURRAY and VAN SANT offered the following resolution (Serial No. 66), which was read, considered and agreed to:

In the Senate, September 14, 1959.

Louis G. Feldman of Hazleton, an attorney, was elected Commander-in-Chief of the Veterans of Foreign Wars of the United States at the organization's 60th annual National Convention in Los Angeles, California, on September 4, 1959.

The third Marine veteran to hold the top national office in this organization, Mr. Feldmann enlisted as a private in the United States Marine Corps early in World War II and served in the Asiatic-Pacific Theatre of Operations with the 3rd Marine Division. He was discharged with the rank of Sergeant.

Shortly after he joined Post 589, Hazleton, Pennsylvania, Mr. Feldmann became active in Veterans affairs and has been an outstanding figure in the Veterans of Foreign Wars, having held many local and national offices before his election as Commander-in-Chief. As chairman of the Veterans of Foreign Wars National Loyalty Day Committee, he has distinguished himself for his efforts in combatting communism and promoting the American way of life.

A practicing attorney in the Hazleton-Wilkes-Barre area, Mr. Feldman is also a member of numerous civic, patriotic and fraternal organizations and has toured the nation in behalf of better citizenship, youth problems and a wider participation by citizens in community affairs.

The Commonwealth of Pennsylvania can be justly proud of the great achievements of this man, a citizen who has brought honor not only to himself but to the Commonwealth as well; therefore be it

Resolved, That the congratulations and best wishes of the Senate of Pennsylvania be extended to Louis G. Feldman and to all the members of the Veterans of Foreign Wars in the Commonwealth for attaining and

bringing to Pennsylvania such high honors; and be it further

Resolved, That a copy of this resolution be forwarded to Louis G. Feldman and to Post 589, Veterans of Foreign Wars, Hazleton, Pennsylvania.

### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

### EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

#### MEMBER OF THE BOARD OF TRUSTEES OF SOMERSET STATE HOSPITAL

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. R. Womer, Meadowbrook Terrace, Bedford, Bedford County, for appointment as a member of the Board of Trustees of Somerset State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice John H. Moorehead, Bedford, resigned.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Martin Burket, Bedford Street, Claysburg, Blair County, for appointment as Justice of the Peace in and for the Township of Greenfield, Blair County, to serve until the first Monday of January 1960, vice Grover Imler, resigned.

DAVID L. LAWRENCE.

#### MEMBER OF THE BOARD OF TRUSTEES OF SELINGSGROVE STATE SCHOOL

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. Andrew Zendt, Mifflin, Juniata County, for appointment as a member of the Board of Trustees of Selingsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice G. Herbert Miller, Richfield, whose term expired.

DAVID L. LAWRENCE.

#### JUSTICE OF THE PEACE

September 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred M. Durso, 400 West Wayne Avenue, Wayne, Delaware County, for appointment as Justice of the Peace in and for

the Township of Radnor, Delaware County, to serve until the first Monday of January 1960, vice Thomas A. Hobson, deceased.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Propert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraf,	Watkins,
Elliott,	Mallery,	Scott,	Welner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 379

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 379.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.



### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,  
The Senate resumed the consideration of Senate Bill No. 699, entitled:

An Act amending the act of June 4, 1943 (P. L. 886), entitled as amended "Municipal Employes' Retirement Law" defining certain words establishing eligibility requirements for municipal membership in the retirement system providing for payment of the expenses of administration and changing the retirement allowances payable to beneficiaries and the administration of the funds and accounts of the system.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 699

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 699.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 835, entitled:

An Act providing for the annual registration of organized camps for children youth and adults defining the duties of the Department of State of the Commonwealth of Pennsylvania and prescribing penalties.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 835

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 835.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Stevenson,
Blass,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Chapman,	Koprivier, Jr.	Probert,	Van Sant,
Confair,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Ruth,	Walker,
Ehrgood,	Mahady,	Sarraff,	Watkins,
Elliott,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Whalley,
Fleming,	McGinnis,	Shafer,	Wolfe,
Harney,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### FINAL PASSAGE CALENDAR BILL OVER IN ORDER

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 233, as follows:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law" changing the law as to amendment of articles of incorporation in their entirety the acquisition and cancellation of treasury shares the reduction of authorized shares the reporting of changes in stated capital the characterization of earned surplus after quasi-reorganizations the payment of dividends in certain cases the effect of distributions of shares financial reports to shareholders the fixing of the date of shareholders meetings the production of lists of shareholders the extension of voting trusts the acquisition or transfer of corporate assets the rights of dissenting shareholders sinking funds for preferred or special shares issued in series exchanges of shares the merger or consolidation of parent and wholly-owned subsidiary corporations service of process on foreign corporations abolishing the doctrine of de facto mergers or consolidation and reversing the rules laid down by Bloch v Baldwin Locomotive Works 75 D & C 24 and Marks v The Autocar Co 153 F Supp 768 eliminating the requirements that certain documents be acknowledged or verified and repealing certain acts and parts of acts relating to corporations.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Murray,	Taylor,

Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming,	Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mallery, McCreesh, McGinnis,	Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Shafer, Silvert,	Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe,
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## NAYS—3

Mahady,	Mullin,	Seyler,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1032, Printer's No. 1216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1992, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the operation of a vehicle having two others attached thereto in certain cases.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—36

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Ehrgood, Elliott,	Flack, Fleming, Harney, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Madigan,	Mallery, Mullin, Murray, Pechan, Propert, Ruth, Sarraf, Scott, Shafer,	Stevenson, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Whalley, Wolfe,
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## NAYS—11

Donolow, Hays, Lane,	Mahady, McGinnis, Miller,	Ripp, Seyler, Silvert,	Stiefel, Weiner,
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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 2031, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" increasing the amount of contracts in which borough officials may have no interest.

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I spoke on this bill before and I believe other people also have. I think this is bad legislation in that the present law provides that no borough official can be interested in a contract to supply the borough with materials or service in an amount in excess of \$300. If he is so interested, he must notify the council and refrain from voting under the penalty of a \$500 fine. This bill merely raises that \$300 to \$600. As we have discussed before, I believe that inflation has hit all parts of our economy. I think possibly this is a recognition that in corruption, there might be some room for inflation also.

I think the \$300 limitation is a bad one. I think there should be no conflict of interest between anyone who is a borough official and a matter affecting the borough, whether it be \$300, \$200 or any amount of money. I think it was bad legislation when it originally was enacted and I think this just takes it one step further. I believe if anyone has a personal interest in any of these matters, they should refrain completely from having any part or parcel with it. If they do want to engage in selling services or having anything to do with the borough, then they should not be a borough official or have any connection with the government. In effect, you get into the situation where you have log rolling or, "If you scratch my back, I will do likewise for you." I think that is always bad because it leads to many, many other abuses.

Therefore, Mr. President, I ask my colleagues to vote "no" on this legislation.

Mr. BERGER. Mr. President, I have no particular interest in this legislation except to point out, as the gentleman has very aptly said, that \$600 now does not buy more than \$300 would have bought some time in the past. Whether the principle is correct in having a member of the borough council deal with the borough itself is debatable, but it has been the law for a good while.

However, Mr. President, there are a number of instances—I am sure we can all think of some—where it would be difficult for the borough to buy certain articles if it did not deal with one of the other members of the council because they happen to be the only ones around to sell that particular type of merchandise.

Therefore, Mr. President, I see nothing particularly objectionable in this. Although, as to the principle of dealing with the community itself, I have no comment.

Mr. WEINER. Mr. President, I think it might be somewhat of a questionable coincidence that the man who takes part in the borough government might be the only one who sells material or services to the particular borough. I think it would behoove that gentleman to remove himself from the borough administration in order for him not to be tainted with that brush. That not being the case, however, I think we should vote "no" on this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—28

Berger, Blass, Chapman, Confair,	Fleming, Harney, Keller, Kessler	Mallery, Pechan, Propert, Scott,	Van Sant, Wade, Wagner, Walker,
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Ehrgood,  
Elliott,  
Flack,

Koprivier, Jr.  
Kromer,  
Madigan,

Shafer,  
Stevenson,  
Taylor,

Watkins,  
Whalley,  
Wolfe,

### NAYS—22

Barr,  
Camiel,  
DiSilvestro,  
Donolow,  
Hays,  
Kalman,

Lane,  
Mahady,  
McCreesh,  
McGinnis,  
McMenamin,  
Miller,

Mullin,  
Murray,  
Ripp,  
Rooney,  
Ruth,

Sarraf,  
Seyler,  
Silvert,  
Stiefel,  
Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### THIRD READING CALENDAR

#### REVENUE BILLS ON THIRD READING OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 660, Printer's No. 1569;

House Bill No. 661, Printer's No. 1570; and

House Bill No. 662, Printer's No. 1571.

The PRESIDENT. Is there objection? The Chair hears none.

### RECESS

Mr. BERGER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

### AFTER RECESS

The PRESIDING OFFICER (William Z. Scott) in the Chair.

The PRESIDING OFFICER. The Chair wishes to announce that he is presiding at the request of the President pro tempore, M. Harvey Taylor.

The time of recess having elapsed, the Senate will be in order.

### REPORTS FROM COMMITTEES

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Finance, reported as amended, Senate Bill No. 1105, entitled:

An Act amending the act of March 10, 1956 (P. L. 1228), entitled as amended "Selective Sales and Use Tax Act," imposing the tax on liquor and malt and brewed beverages at the retail level.

He also, from the Committee on Finance reported as amended, Senate Bill No. 1112, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," excluding certain services from taxation.

He also, from the Committee on Finance reported as amended, House Bill No. 2100, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended "Selective Sales and Use Tax Act," defining or re-defining certain words, terms or phrases; imposing tax on soft drinks at the retail level; providing for alternate imposition of tax in certain cases. Changing procedures relative to tax refunds or credits; conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising; changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers, transferors, auctioneers, and certain purchasers involved in bulk sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 56, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the times specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—50

Barr,  
Berger,  
Blass,  
Camiel,  
Chapman,  
Confair,  
DiSilvestro,  
Donolow,  
Ehrgood,  
Elliott,  
Flack,  
Fleming,  
Harney,

Hays,  
Kalman,  
Keller,  
Kessler,  
Koprivier, Jr.,  
Kromer,  
Lane,  
Madigan,  
Mahady,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Miller,  
Mullin,  
Murray,  
Pechan,  
Propert,  
Ripp,  
Rooney,  
Ruth,  
Sarraf,  
Seyler,  
Shafer,  
Silvert,  
Stevenson,

Stiefel,  
Taylor,  
Van Sant,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Weiner,  
Whalley,  
Wolfe,  
Scott,  
Presiding Officer

### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 187, entitled:

An Act providing for the service of process in civil suits on nonresident operators or nonresident owners or a resident who becomes a nonresident and conceals his whereabouts, of vessels operated in the Commonwealth of Pennsylvania and making the operation of such vessels in the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of the Commonwealth as the agent of the said nonresident upon whom civil process may be served and providing for further notice to the defendant in any such suit.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.,	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarraf,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 290, Printer's No. 314; and

House Bill No. 398, Printer's No. 1072.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 440, on third reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for higher education in the public school system through the establishment and operation of junior colleges by certain school districts or county boards of school directors conferring powers and duties on school directors county superintendents county boards of school directors the Superintendent of Public Instruction and the State Council of Education and providing for advancements and reimbursements by the Commonwealth.

be recommitted to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion. The motion was agreed to.

### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 535, Printer's No. 571, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. McGINNIS. Mr. President, in 1951, I introduced a bill here to allow third class cities to assess land and buildings separately. There are forty-seven third class cities in this State.

This bill, Senate Bill No. 535, adds a little privilege to those third class cities. It allows them to put a different rate of taxation on lands and buildings.

Back in Pittsburgh, in 1909, we had a great mayor, a Republican, William A. Magee. He came to this Legislature and he got a bill through which exempted the taxing of machinery in Pittsburgh and Scranton. Then he came back here in 1913 and he got a bill through that allowed second class cities to tax lands and buildings separately, and at different rates. Well, in those days we had what we called the Schenley Farms in the east end of Pittsburgh. There was nothing on those farms except cows. It was assessed at one-third of its value. However, the taxes were doubled on land in Pittsburgh and Scranton, and today there is not a vacant foot where the farm used to be located. Beautiful homes are built on every foot of grounds on the Schenley Farms.

When this 1951 bill was before us, Senator McMenamin made a few remarks. He said that Scranton, before 1951, was becoming a ghost town. He said that the coal was all mined around there, and in one corner of Scranton, there were forty-five vacant homes. He said the people of Scranton, the Chamber of Commerce and civic bodies, got busy to advertise Scranton. They said, "If you come to Scranton, we will not tax your machinery and we will tax your buildings only half of what we tax the land." In 1951, he said that thirty-five new industries had come to Scranton.

That same day I said something about Pittsburgh. I said it was the most booming city in the world. I said the steel company moved its offices from New York to Pittsburgh and built a building consisting of forty-five stories.

The Aluminum Company came from New York and erected an aluminum building, thirty-four stories high. The Equitable came from New York and spent \$55,000,000 building office buildings. They are building another one today, costing \$20,000,000. The Hilton Hotels are building a hotel in Pittsburgh today which will cost \$20,000,000.

Senator Blass was in Pittsburgh last week and he told me today that he was amazed at the progress in the heart of the city of Pittsburgh.

In 1905, in my senior year at Cornell University, we had lectures in political economy. One lecturer was Henry George, Jr. His father, Henry George, wrote the book called "Progress and Poverty." That book, "Progress and Poverty," has been printed in every language in the world, and today they say it has the widest circulation of any book in the world, except the Bible. Henry George, in his book, "Progress and Poverty," must have said something.

I hope by what I have said here today that I can induce every Senator on this floor to go to a library when they get home and get a copy of "Progress and Poverty," and read it from cover to cover.

Mr. President, Senator Stiefel has reminded me that I forgot something and I did. I did not want to hold you here too long.

Henry George, Jr., said to me, "McGinnis, in Pennsylvania, if you rob a chicken coop, they will fine you



once, but if you build one, they will fine you every year."

He said, "Never tax a thing that is made by the hand. If you do, you will drive it out of use, or have less of it."

I know that here in Harrisburg, for instance, if we put a tax tonight on drinking glasses of one dollar, tomorrow every store in Harrisburg will raise the cost of that glass one dollar and more. If you put a tax of \$200 on every lot in Harrisburg tonight, tomorrow morning the price of land will go down in Harrisburg. In other words, if you tax anything that is made by the hand, you will have less of it, and you will drive it out of use. However, if you put a tax on land, you do not change the quantity and you will drive it into use.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

LOUIS G. FELDMANN,  
NATIONAL COMMANDER OF VETERANS OF FOREIGN  
WARS, PRESENTED TO SENATE

Mr. BERGER. Mr. President, I notice in the Hall of the Senate a distinguished visitor and his wife, Mr. Louis G. Feldmann, of Hazleton, who was elected Commander-in-Chief of the Veterans of Foreign Wars of the United States, at that organization's Sixtieth Annual National Convention in Los Angeles, California, on September 4, 1959. Mrs. Feldman is also with him.

I thought perhaps the Chair might be inclined to introduce the gentleman and his wife from the dias, and invite him to speak to the Senate.

The PRESIDING OFFICER. The Chair most certainly extends a cordial invitation to Commander Feldmann to come to the rostrum.

(Commander Feldmann approached the rostrum.)

The PRESIDING OFFICER. The Chair, at this time, has the great honor of presenting to his colleagues in the Senate, the new National Commander of the Veterans of Foreign Wars, Commander Louis G. Feldmann, of Luzerne County.

REMARKS BY LOUIS G. FELDMANN

Mr. FELDMANN. Senator Scott and Members of the Senate of Pennsylvania, I am going to be extremely brief and boil down everything I have to say.

This a great honor and a great thrill for me today. I just want to say to many of you what I used to say when I worked around the rail ten, twelve or fifteen years ago. Much good veterans' legislation is not labeled "Veterans' Legislation." You have a terrific record herein Pennsylvania for veterans' legislation of all kinds. I want to point out to you that the great desire of every veteran is to work and to remain in the Commonwealth. Therefore, I would merely like to thank you for two fine pieces of work that you have already done and hope you continue. One is the Pennsylvania Industrial Development Authority, which in my own area has already given jobs to over 1,000 men, and we will have 2,000 more on the payroll before the year is over, thanks to you people. The other is the highway program which is going to change many of the areas of Pennsylvania from isolated outposts to places which will develop and help yield the taxes that I just heard talked about, regardless of how they come.

I want to thank all of you and hope that the Legislature

and the Senate of Pennsylvania will continue to be as progressive minded in the years to come as it has been in the past. I say that to you with all the sincerity I can muster, regardless of what some other people may say.

Thank you very much.

The PRESIDING OFFICER. I wonder if Mrs. Feldmann would please rise?

I might say to you, Commander Feldmann, that we most certainly wish for you a most successful tenure in office. We know that you will be a great credit to the Commonwealth of Pennsylvania.

BILLS ON THIRD READING AND FINAL  
PASSAGE

Agreeably to order,

Th Senate proceeded to the third reading and consideration of Senate Bill No. 735, entitled:

An Act amending the act of April 24, 1947 (P. L. 89) entitled "Wills Act of 1947" providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarrafi,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 737, entitled:

An Act amending the act of April 24, 1947 (P. L. 100) entitled "Estates Act of 1947" defining conveyance.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Probert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,

DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Watkins, Weiner, Whalley, Wolfe, Scott, <b>Presiding Officer</b>
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## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 747, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" defining "House Trailer" "Mobilehome" and Office Trailer" and including certain persons buying selling exchanging assembling financing or making loans on such vehicles or their parts within the definition of "Dealers" prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, <b>Presiding Officer</b>
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## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 748, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass,	Hays, Kalman, Keller,	Miller, Mullin, Murray,	Stiefel, Taylor, Van Sant,
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Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, <b>Presiding Officer</b>
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## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 749, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" excepting mobilehomes house trailers or office trailers from safety glass requirements.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—46

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Harney,	Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Shafer, Silvert, Stevenson, Stiefel,	Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, <b>Presiding Officer</b>
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## NAYS—4

Fleming,	Hays,	Mahady,	Seyler,
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A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 750, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" fixing the annual registration fee for house trailers and office trailers.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr, Berger, Blass, Camiel, Chapman,	Kalman, Keller, Kessler, Koprivier, Jr., Kromer,	Mullin, Murray, Pechan, Propert, Ripp,	Stiefel, Taylor, Van Sant, Wade, Wagner,
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Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Harney, Hays,	Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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## NAYS—1

Fleming,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 751, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" exempting certain trailers from lighting requirements.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Harney, Hays,	Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller,	Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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## NAYS—1

Fleming,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 897, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" increasing the annual salaries of certain officers in counties of the second class.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert,	Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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## NAYS—1

Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 959, Printer's No. 1545, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 975, Printers' No. 1147, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1015, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the use of fire extinguishers containing carbon tetrachloride in school buildings and school buses and providing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 699.11), page 2, lines 4 and 5 by striking out "carbon tetrachloride" and inserting "Carbon Tetrachloride."

Amend Sec. 2, page 2, line 16, by striking out "1961" and inserting: "1960."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1015, Printer's No. 1544, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1037, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred.)  
Mr. ROONEY. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—33

Berger,	Kalman,	Mullin,	Wade,
Blass,	Keller,	Murray,	Wagner,
Camel,	Kessler	Probert,	Walker,
Chapman,	Koprivier, Jr.	Rooney,	Watkins,
Confair,	Kromer,	Ruth,	Whalley,
Ehrgood,	Lane,	Stevenson,	Wolfe,
Elliot,	Madigan,	Taylor,	Scott,
Flack,	Mallery,	Van Sant,	Presiding Officer
Harney,	McCreesh,		

#### NAYS—13

Barr,	McMenamin,	Sarraf,	Silvert,
Fleming,	Miller,	Seyler,	Stiefel,
Hays,	Ripp,	Shafer,	Weiner,
McGinnis,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1047, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 619.1), page 14, lines 14 to 19, by striking out all of said lines.; Amend Sec. 2 (Sec. 619.1), page 15, line 1, by striking out "(4)" and inserting "(3)"; Amend Sec. 2 (Sec. 619.1), page 15, line 13, by striking out "(5)" and inserting: "(4)"; Amend Sec. 2 (Sec. 619.2), page 18, lines 17, 18 and 19; page 19, lines 1 and 2, by striking out all of said lines; Amend Sec. 2 (Sec. 619.2), page 19, line 3, by striking out "(d)" and inserting: "(c)"; Amend Sec. 2 (Sec. 619.2), page 19, line 18, by striking out "(E)" and inserting: "(d)"; Amend Sec. 2 (Sec. 619.2), page 21, line 7, by striking out "(F)" and inserting: "(e)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 1047, Printer's No. 1401, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1050, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act" permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Probert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliot,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1052, entitled:

An act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" clarifying the provisions excepting certain work from the provision which makes wordly employment unlawful on Sunday.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Kalman,	Miller,	Stevenson,
Berger,	Keller,	Mullin,	Stiefel,
Blass,	Kessler,	Murray,	Taylor,



Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Koprivier, Jr., Kromer, Lane, Hays, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert,	Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1068, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert,	Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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## NAYS—0

A constitutional majority of all the Senators having voted 'aye,' the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1071, Printer's No. 1110, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1102, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the appointment of special school police defining their powers and duties and providing for their compensation by the school district.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SEYLER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 1129.1), page 2, lines 17 to 20; page 3, lines 1 to 5, by striking out "OR JOINTLY BY THE" in line 17, all of lines 18 to 20, page 2, and all of lines 1 to 5, page 3.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1102, Printers' No. 1400, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1143, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" providing for the corporate name the contents of the articles of incorporation and articles of merger prescribing the method of cancelling treasury shares in the manner of giving notice of the winding up proceedings.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney,	Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin,	Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson,	Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer
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## NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1144, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" providing for the expiration of registered names if the corporation is not formed within one year from the date of registration and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1145, entitled:

An Act amending the act of June 8, 1911 (P. L. 710) entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations the registration thereof and service of process thereon and providing punishment and penalties for the violation of its provisions and repealing previous legislation on the subject" providing for the withdrawal from business and the surrender of the certificate of authority.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarra,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1228, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Keller,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Koprivier, Jr.	Propert,	Wagner,
Confair,	Kromer,	Ripp,	Walker,
DiSilvestro,	Lane,	Rooney,	Watkins,
Donolow,	Madigan,	Ruth,	Weiner,
Ehrgood,	Mahady,	Sarra,	Whalley,
Elliott,	Mallery,	Seyler,	Wolfe,
Flack,	McCreesh,	Shafer,	Scott,
Fleming,	McGinnis,	Silvert,	Presiding Officer
Harney,	McMenamin,	Stevenson,	

#### NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL ON THIRD READING

### AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1566, entitled:

An Act amending the act of August 10, 1951 (P. L. 1163) entitled as amended "Orphans' Court Act of 1951" conferring exclusive jurisdiction of control of decedent's burial on the orphans' court and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, first line by inserting after the word "court" the following: "except in counties of the First Class"; Amend Section 301, page 2, line 4, by inserting after the word "court" the following: "except in



counties of the First Class"; Amend Section 302, page 2, line 11, by inserting after the word "court" the following: "except in counties of the First Class"; Amend page 3, line 4, by inserting after "incompetent" a new Section to read: "Section 2 this act shall not apply to counties of the First Class"; Amend page 3, line 5 by striking out "two" and inserting: "three".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, this bill is a bill that is the result of work done in the Joint State Government Commission. Senator Stiefel has shown me his amendments and said that it was the discussion in the Joint State Government Commission Task Force that Philadelphia should be exempt from the operation of this Act. I do not recall that action and, after hearing from the gentleman, I am going to request that the bill go over in order, without the amendments being voted on, so that we may determine the action of the Task Force, if that is agreeable to Senator Stiefel.

Mr. STIEFEL. Mr. President, am I to understand that the amendments will remain on the table until they are called up again, or shall I withdraw the amendments, temporarily?

Mr. BERGER. I would suggest that you hold the amendments until we are able to find out something from the Task Force Report.

Mr. STIEFEL. Mr. President, I am sure the learned Majority Leader has much on his mind and is crushed by the burdens of his work, but if he will consult the minutes of the Joint State Government Commission, he will find that I took, in due time, a position on it and I believe the wisdom of my position was recognized at that time.

#### AMENDMENTS TEMPORARILY WITHDRAWN

Mr. STIEFEL. Mr. President, I will withdraw my amendments temporarily.

And the question recurring,

Will the Senate agree to the bill on third reading?

#### BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1566, Printer's No. 987, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1823, Printer's No. 727, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2049, Printer's No. 1262;  
House Bill No. 2265, Printer's No. 1577;  
House Bill No. 2267, Printer's No. 1340;  
House Bill No. 2268, Printer's No. 1341;  
House Bill No. 2270, Printer's No. 1343; and  
House Bill No. 2271, Printer's No. 1576.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### HOUSE BILL NO. 1823 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 10 of today's third reading calendar, House Bill No. 1823, Printer's No. 727, which previously went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1823, entitled:

An Act providing for the creation maintenance and operation of an employees' retirement system in cities of the second class A and imposing certain charges on cities of the second class A and school districts in cities of the second class A.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Blass,	Keller,	Murray,	Taylor,
Camel,	Kessler,	Pechan,	Van Sant,
Chapman,	Koprivier, Jr.,	Propert,	Wade,
Confair,	Kromer,	Ripp,	Wagner,
DiSilvestro,	Lane,	Rooney,	Walker,
Donolow,	Madigan,	Ruth,	Watkins,
Ehrgood,	Mahady,	Sarraf,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Scott,
Harney,	McMenamin,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### SECOND READING CALENDAR

#### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 186, on second reading, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" increasing penalties further regulating the operation of bowling and tenpin alleys and providing for referendums in municipalities and townships to authorize or prohibit the operation of bowling lanes on Sundays.

be recommitted to the Committee on Judiciary General.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 301, Printer's No. 1399;

Senate Bill No. 446, Printer's No. 1323;

Senate Bill No. 447, Printer's No. 481;

Senate Bill No. 448, Printer's No. 1324; and

Senate Bill No. 449, Printer's No. 1325.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 632, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116) entitled "An act to regulate deliveries of light fuel oil to domestic consumers conferring powers and imposing duties on the Department of Internal Affairs and the inspectors of weights and measures of the several counties and cities and prescribing penalties" requiring that vehicles delivering light fuel oil be equipped with meters capable of furnishing printed delivery tickets and requiring that such delivery tickets be furnished to consumers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 677, entitled:

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 679, entitled:

An Act amending the act of March 26, 1925 (P. L. 83) entitled "An act for the protection of Public Health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" eliminating licenses and license fee requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 680, entitled:

An Act amending the act of April 28, 1937 (P. L. 417) entitled "Milk Control Law" changing provisions relating to weighing and measuring permits.

The first section was read.

On the question,

Will the Senate agree to the section?

### REQUEST THAT BILL GO OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that this bill go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, House Bill No. 680 and House Bill No. 679 deal with the same subject. I believe they should travel together. House Bill No. 679 has passed second reading. If there is some question about this bill, we can discuss it on Third Reading or, if there are suggested amendments, we can discuss them also on Third Reading. However, I believe the two bills should stay together on the Calendar.

Therefore, Mr. President, I object to House Bill No. 680 going over in its order.

Mr. WEINER. Mr. President, may the Senate be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

### REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. WEINER. Mr. President, I will withdraw my request that House Bill No. 680, Printer's No. 176, go over in its order, with the proviso that we have an opportunity to amend this bill, should amendments be necessary, on Third Reading.

Mr. BERGER. Certainly.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 738, entitled:



An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947" providing a rule of interpretation regarding the source of payment of inheritance tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

Th Senate proceeded to the second reading and consideration of House Bill No. 831, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" providing for the issuance of certain permits within each county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

Th Senate proceeded to the second reading and consideration of House Bill No. 879, entitled:

An Act amending the act of June 18, 1941 (P. L. 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" extending the provision of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

Th Senate proceeded to the second reading and consideration of Senate Bill No. 920, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" regulating sales by distributors and importing distributors and requiring out of State malt or brewed beverage manufacturers to give distributing rights to importing distributors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1001, Printer's No. 1190; and

Senate Bill No. 1031, Printer's No. 1215.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1036, Printer's No. 1340, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1041, entitled:

An Act amending the act of June 20, 1919 (P. L. 521) entitled as amended "Transfer Inheritance Tax Law" ex-

cepting from the tax transfers of certain property interests in and income therefrom to cemetery companies corporations or associations operated exclusively for the benefit of its members and not operated for profit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1046, Printer's No. 1237;

Senate Bill No. 1079, Printer's No. 1382; and

Senate Bill No. 1081, Printer's No. 1361.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1103, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code" providing for the codification or consolidation of existing ordinances and the procedure for adoption thereof by the township supervisors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1107, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder . . ." extending the types permitted to include teachers' federations and fixing requirements thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1115, Printer's No. 1333, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1297, Printer's No. 1507, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1455, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198) entitled "Bituminous Coal Open Pit Mining Conservation Act" changing penalties in regards to certain action relating to registration and furnishing of bonds.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1463, entitled:

An Act repealing sections 1261 1262 and 1263 act of August 9, 1955 (P. L. 323), entitled "The County Code" relating to recognizance of sheriffs and coroners.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1472, Printer's No. 640; and

House Bill No. 1572, Printer's No. 1299.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1654, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" increasing the rate of tax on use and occupancy of house trailers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1835, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code" further regulating the exercise of powers by the Department of Banking and boards thereof extending the time in which the department may approve or disapprove articles of incorporation or amendment providing for contribution by associations

and ratifying contributions heretofore made permitting and limiting the sale of participations in direct reduction mortgages and repealing inconsistent legislation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2014, Printer's No. 1159, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2259, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled as amended "The Pennsylvania Securities Act" changing the registration year and providing for registration fees.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

## BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 958, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," including costs of grading sewage treatment plants and interests thereon in computing reimbursable rentals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 997, entitled:

An Act designating the whitetail deer as the official State animal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1054, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation of the State Board of Barber Examiners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1105, entitled:



An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended "Selective Sales and Use Tax Act," imposing the tax on liquor and malt and brewed beverages at the retail level.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1112, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," excluding certain services from taxation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh, and eighth classes," changing certain fees fixed by the act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1160, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the designation by nonresidents of the Secretary of Revenue as the agent for service of process.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1554, entitled:

An Act amending the act of June 21, 1937 (P. L. 1982), entitled "An act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by judges of any court of record . . ." authorizing the Supreme Court of Pennsylvania to make rules for the orphan's courts for the purpose of making information available with respect to charitable gifts and charitable trusts and to facilitate the enforcement thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1701, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" extending the period for shooting on regulated shooting grounds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1907, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" clarifying the provisions relating to shooting across highways or at wild birds or animals on highways.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2033, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951" changing the procedures for the handling of patients' funds and repealing inconsistent laws.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2094, entitled:

An Act providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved September 2, 1958 concerning assistance to states and subdivisions thereof for the training of manpower of sufficient quality and quantity to meet our national defense needs and conferring powers and imposing duties on the State Treasurer the State Council of Education and the State Board for Vocational Education.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2100, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended "Selective Sales and Use Tax Act," defining or re-defining certain words, terms or phrases; imposing tax on soft drinks at the retail level; providing for alternate imposition of tax in certain cases. Changing procedures relative to tax refunds or credits; conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising; changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers, transferors, auctioneers and certain purchaser involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effect thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2123, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire real property in the Borough of Somerset for the use of the Somerset State Hospital in the Department of Public Welfare and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2172, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," deleting the provision requiring school districts to advertise for proposals on plans and specifications for certain projects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2203, entitled:

An Act amending the act of May 3, 1933 (P. L. 242), entitled "Beauty Culture Law," permitting reciprocal licensure of foreign applicants.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, September 15, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:09 o'clock, p. m., Eastern Standard Time, until Tuesday, September 15, 1959, at 2:00 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, September 14, 1959

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

## PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Thou great Eternal God and Father of us all, in deepest reverence and true faith we approach Thy throne of mercy this evening hour. We come before Thee with the honor and respect due unto Thy holy and most righteous name, but with the fullest realization of that which becomes our responsibility and privilege as humble children of Thine. Open our eyes to the work which Thou hast for us to do, and guide us by Thy Holy Spirit that we may be enabled to accomplish the same: through Jesus Christ, Thy dear Son, our Lord, who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

## JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, August 24, Tuesday, August 25 and Wednesday, August 26, 1959? If not, and without objection, the Journals are approved.

## JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, September 10, 1959 will be postponed until printed.

The Chair hears none.

## RESOLUTION

## CONGRATULATIONS

Messrs. KUBITSKY, A. W. JOHNSON, McCANN, MEHOLCHICK, MUSTO, SHUPNIK, CURWOOD, CROSIN, and JUMP asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, September 14, 1959.

Louis G. Feldmann of Hazleton, an attorney, was elected Commander-in-Chief of the Veterans of Foreign Wars of the United States at the organization's 60th annual Convention in Los Angeles, California, on September 4, 1959.

The third Marine veteran to hold the top national office in this organization, Mr. Feldman enlisted as a private in the United States Marine Corps early in World War II and served in the Asiatic-Pacific Theatre of Operations with the 3rd Marine Division. He was discharged with the rank of Sergeant.

Shortly after he joined Post 589, Hazleton, Pennsylvania, Mr. Feldmann became active in Veterans affairs and has been an outstanding figure in the Veterans of Foreign Wars having held many local and national offices before his election as Commander-in-Chief. As chairman of the Veterans of Foreign Wars National Loyalty Day Committee he has distinguished himself for his efforts in combatting communism and promoting the American way of life.

A practicing attorney in the Hazleton-Wilkes-Barre area, Mr. Feldmann is also a member of numerous civic, patriotic and fraternal organizations and has toured the nation in behalf of better citizenship, youth problems

and a wider participation by citizens in community affairs. The Commonwealth of Pennsylvania can be justly proud of the great achievements of this man, a citizen who has brought honor not only to himself but to the Commonwealth as well; therefore be it

Resolved, That the congratulations and best wishes of the House of Representatives be extended to Louis G. Feldmann and to all the members of the Veterans of Foreign Wars in the Commonwealth for attaining and bringing to Pennsylvania such high honors; and be it further

Resolved, That a copy of this resolution be forwarded to Louis G. Feldman and to Post 589, Veterans of Foreign Wars, Hazleton, Pennsylvania.

## COMMITTEE APPOINTED

The SPEAKER. The Chair appoints the gentleman from Luzerne, Mr. Kubitsky, and the gentleman from Greene, Mr. McCann, the Parliamentarian of the Veterans of Foreign Wars, Department of Pennsylvania, to escort Commander-in-Chief Feldmann to the rostrum for the purpose of receiving a Resolution adopted by this House congratulating him upon his election to the high office of national head of the Veterans of Foreign Wars.

The Committee escorted Commander-in-Chief Feldmann to the rostrum.

The SPEAKER. It is an honor and a privilege to present to Commander Feldmann a Resolution citing the fact that he has rendered distinguished service not only to his local community, but also to the state of Pennsylvania. He has a record of serving well in the national arena, and in recognition of his services, local, state and national he has been awarded the high office that it has been his fortune to achieve.

Commander Feldmann, I now present to you this Resolution, passed by the House, and also have the privilege of presenting you to the Members of this part of our General Assembly. Commander Feldmann.

ADDRESS BY COMMANDER-IN-CHIEF  
LOUIS FELDMANN

Commander-in-Chief Feldmann. Mr. Speaker and members of the Legislature of the Commonwealth of Pennsylvania, may I thank you for the great honor you have bestowed not only upon me, but upon one million three hundred thousand members of the Veterans of Foreign Wars and the four hundred thousand members of the Ladies Auxiliary, by inviting me to address you.

The Commonwealth of Pennsylvania has an excellent record insofar as Veterans are concerned.

There are many laws in the Statute Books that have aided and assisted Veterans of all wars in resuming their proper place in our society.

There are many laws in the Statute Books that are helpful to Veterans' Organizations in properly observing Memorial Day and Veterans Day, and in paying homage to those who have served their country.

The State Veterans Commission is an outstanding example of a beneficial Bill that has been intelligently administered without regard to political considerations.

May I thank you and your predecessors who have enacted this legislation, and may I, through you, thank those who have administered it in an efficient and thoughtful manner.

However, I would be remiss in my duties if I did not point out to you that the great desire of every Veteran,

worthy of the name, is to work and help build our great Nation.

Some of the finest Veteran legislation is not labelled as such. An outstanding example of this is the Pennsylvania Industrial Development Act.

Therefore, gentleman, I welcome this opportunity to thank you, not only on behalf of the Veterans of the State of Pennsylvania, but on behalf of every citizen of the Commonwealth, for your actions in providing funds for the Pennsylvania Industrial Development Authority and for our interstate highway program.

Being personally associated with the CAN-DO organization in Hazleton, I have seen the results, and they are very tangible ones. During the three years since the inception of this Act, and because of the Act, there has been secured for our area alone eleven industries, eight of whom have used the Pennsylvania Industrial Development Authority financing, and have provided potential jobs for 3,000 men, over 1,000 of whom are actually working now.

It has been my privilege to watch the change that has occurred in our community from a depressed area where people were leaving daily, to one that is rapidly stabilizing, and becoming again a strong area within the Commonwealth.

Let me point out to you some of the things that you have accomplished by this Pennsylvania Industrial Development Act.

Waste land has become Industrial land.

Real Estate tax income has increased accordingly.

The revenue from the corporate taxes from this area has increased.

Countless men have been removed from public assistance rolls and from drawing unemployment compensation.

You have changed the despondent into useful citizens.

You have enlarged the industrial capacity of the area and the Commonwealth.

These are only the direct results. The indirect results are legion.

To me and to the Organization which I represent, this is one of the healthiest partnership programs between private enterprise and government in the history of our Nation. The money which you have appropriated from the general fund will not only be returned, but will be returned with interest, and some day in the foreseeable future will become a perpetuating fund which will enable Pennsylvania to continue to be the foremost State in the industrial and economic progress of our Nation.

It is the hope of everyone in the so-called depressed areas in Pennsylvania that the Appropriation Bill to provide funds for the Pennsylvania Industrial Development Authority for the next biennium will be speedily passed in its present form so that industrial expansion may continue throughout the Commonwealth.

May I also point out that your action in the House of Representatives in providing funds for the interstate highway program demonstrates your responsibility as elected Representatives of the people.

You have displayed the vision accredited to you by the electorate.

These interstate highways, particularly the Keystone Shortway and the Anthracite Expressway, will create for Pennsylvania a network of the means of transporta-

tion which will continue to keep Pennsylvania as the Keystone State.

The future development of commerce for the entire State of Pennsylvania depends upon the development, and quickly, of a modern highway system—a system that will benefit great areas of the State, and contribute to all of the State. These highways that I have talked about will literally link the Commonwealth with all the Nation, for avenues of Commerce, Border to Border, and Coast to Coast.

Gentleman, I do not need to tell you the interstate highway program must be continued and at a rapid pace if Pennsylvania is to advance in population growth, economic growth and taxing revenue. Let me urge you to act and act expeditiously on all the facts of this vital highway program at once.

No part of our great Commonwealth must be neglected.

The entire Commonwealth must be strong for the Commonwealth to be great. Every State must be great for our Nation to continue its leadership in the world.

May I thank you again for having allowed me to appear before you and to assure you that if you continue the development of industry in Pennsylvania through the Pennsylvania Industrial Development Authority, and through the development of the great interstate highways, these things will result in the economic progress for all in our Commonwealth. They will result in economic progress for the Nation. They thus will contribute to the peace of the world, and the defeat of communism.

Let me congratulate you for what you have done, and hope that you will have the vision to see that Pennsylvania can always be a great Commonwealth if you, as the members of the Legislature, continue to have the foresight, the courage, the fortitude and the appreciation of the true greatness of Pennsylvania which lies not only in its natural resources or in its strategic position, but lies in the greatness of its people who want to build a better Commonwealth, a greater Nation, and a peaceful world. Thank you.

## RESOLUTION INTRODUCED AND REFERRED

By Messrs. P. E. PERRY, GELFAND, SHERMAN, FINEMAN and SCHWARTZ.

### RESOLUTION No. 112.

In the House of Representatives, September 10, 1959.

Pennsylvania was founded out of concern for the oppressed.

The existence of millions of refugees in the world today presents a challenging opportunity for alleviation of their plight:

The United States has recognized the extent and gravity of the international refugee situation by designating a World Refugee Year, co-sponsoring a United Nations resolution which was overwhelmingly passed by the last General Assembly.

The President of the United States in a Proclamation has urged all United States citizens to support generously the programs developed by the United States Committee for Refugees and by other voluntary welfare agencies, therefore be it

Resolved, That the General Assembly of the Commonwealth of Pennsylvania record its approval of the observance of World Refugee Year between July 1, 1959 and June 30, 1960, and be it further

Resolved, That the General Assembly recommend the



wholehearted support of its humanitarian objectives by the citizens of the Commonwealth.

Referred to the Committee on Rules.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 467.

An Act amending the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish Wars Veterans a part of the public records of the State and providing for their publication and distribution" including the Italian American World War Veterans of the United States Incorporated among the veterans organizations entitled to the printing of convention reports.

#### HOUSE BILL No. 470.

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps \* \* \*" authorizing the Italian American World War Veterans of the United States Incorporated to gather and file data concerning burial places of persons who have served in the military naval or other combative forces with the county commissioners or city commissioners in cities of the first class.

#### HOUSE BILL No. 471.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting imitating selling or offering to sell the labeled artificial flower of the Italian American World War Veterans of the United States Incorporated.

#### HOUSE BILL No. 1544.

An Act amending the act of April 23, 1909 (P. L. 141), entitled "An act providing for the use of borough and township lockups and city or county prisons for the detention of prisoners \* \* \*" increasing daily compensation of certain boroughs cities and townships from the county treasury for each prisoner incarcerated.

#### SENATE BILL No. 65.

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code" changing the provisions relating to bond required in awarding contracts.

#### SENATE BILL No. 68.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" changing the provisions relating to bond required in awarding contracts.

#### SENATE BILL No. 142.

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" further defining persons eligible for public assistance.

#### SENATE BILL No. 149.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law" changing provisions relating to selection of city charter commissioners.

#### SENATE BILL No. 161.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" providing an ad-

ditional procedure for creating cities authorizing elections and permitting selection of a form of city government in such cases from among several optional plans conferring powers and imposing duties on courts of quarter sessions county boards of elections and corporate authorities of towns townships and boroughs.

#### SENATE BILL No. 732.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any defects unless proceeding to attach such sales are brought within a prescribed period.

#### SENATE BILL No. 734.

An Act providing for combining trusts for the benefit of employes of the same employer upon approval by the court having jurisdiction of any one of such trusts.

#### SENATE BILL No. 756.

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" increasing the investment powers.

#### SENATE BILL No. 824.

An Act amending the act of May 11, 1911 (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth . . . further providing for the taking of exceptions to rulings of the trial judge.

#### SENATE BILL No. 852.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code" authorizing annexation in certain instances of property owned by municipal authorities created solely by said city on the effective date of this act.

#### SENATE BILL No. 1104.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. MULLEN for today.

Mrs. Varallo for Mr. TAYLOR for Monday and Tuesday because of official business.

Mrs. Varallo for Mr. McKEEVER for the week because of illness.

Mrs. Varallo for Mr. WELSH for the week because of illness.

Mrs. Varallo for Mr. MIHM for the week because of illness.

Mr. Tompkins for Mr. WHITTAKER for the week.

Mr. Tompkins for Mr. BELL for today.

Mr. Tompkins for Mr. STIMMEL for the week.

Mr. Tompkins for Mr. LIGHT for the week.

Mr. Tompkins for Mr. KEE for today.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NOS. 142, 184, 256, 323, 609, 705, 706, 1029, 1448 and 1468

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 142, Printer's No. 102, entitled "An Act amending the act of June 3, 1937 (P. L. 1333) entitled 'Pennsylvania Election Code' changing the provisions relating to the nomination of candidates for public office by nomination papers and the filing fees therefor."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 184, Printer's No. 895, entitled "An Act amending the act of April 29, 1937 (P. L. 487), entitled as amended 'The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships' requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged either by streets and house numbers or alphabetically."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 256, Printer's No. 498, entitled "An Act amending the act of June 3, 1937 (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' further designating magistrates aldermen or justices of the peace before whom informations charging summary offenses may be brought."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 323, Printer's No. 1304, entitled "An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended 'Banking Code' extending the time in which the department may approve articles of incorporation amendment or merger changing the requirements for restatement of articles of incorporation and articles of merger providing for appointment of honorary or emeriti directors trustees and members of advisory boards providing for contributions by institutions and ratifying contributions heretofore made enlarging the powers of institutions to deal in fractional interests of evidences of debt extending to trust companies a limited power to borrow money and further providing for the powers and limitations on powers of corporations authorized to engage in a banking business."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 609, Printer's No.

1386, entitled "An Act amending the act of May 29, 1917 (P. L. 332) entitled 'An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid' by making this act apply to turtles frogs and tadpoles changing creel limits and revising methods of taking."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 705, Printer's No. 315, entitled "An Act amending the act of April 23, 1956 (P. L. 1510) entitled as amended 'Disease Prevention and Control Law of 1955' providing for the examination of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 706, Printer's No. 333, entitled 'An Act amending the act of April 23, 1956 (P. L. 1510) entitled as amended 'Disease Prevention and Control Law of 1955' providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease tuberculosis or any other communicable disease."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1029, Printer's No. 1242, entitled "An Act amending the act of June 25, 1941 (P. L. 159) entitled 'Municipal Borrowing Law' increasing the debt limit of school districts when the State Constitution is amended to permit such increase."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1448, Printer's No. 575, entitled "An Act amending the act of April 23, 1956 (P. L. 1510) entitled as amended 'An act providing for the prevention and control of communicable and non-communicable diseases including venereal diseases fixing responsibility for disease prevention and control requiring reports of diseases and authorizing treatment of venereal diseases and providing for premarital and prenatal blood tests amending revising and consolidating the laws relating thereto and repealing certain acts' allowing the court appointed physicians and physicians of penal institutions to make examinations for venereal diseases."

DAVID L. LAWRENCE.

September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1468, Printer's No. 922, entitled "An Act amending the act of April 27, 1925 (P. L. 324) entitled 'An act for the distribution by the Commonwealth and counties to townships and school districts of moneys received from the United States from Forest Reserves within the commonwealth' authorizing



the electors of a township to adopt an alternative basis for distribution of moneys."

DAVID L. LAWRENCE.

### APPOINTMENT OF SELECT COMMITTEE

The SPEAKER. Pursuant to the provisions of Resolution, Serial No. 114, adopted by the House on Wednesday, September 9, 1959, the Speaker appoints as a Select Committee to evaluate the electric roll call, public address systems and other items enumerated in the Resolution, Messrs. Polen, Chairman, Lopresti, Mihm, Helm, Bower and Lippincott.

### REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1023

Mr. BRETH. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1023.

The SPEAKER. The report will lie over for printing under the Rules.

### RESOLUTIONS

Mr. McCANN asked and obtained unanimous consent to call up out of order House Resolutions on pages 18, 19 and 20 of today's calendar.

### HOUSE RESOLUTION No. 40

The SPEAKER laid before the house, House Resolution No. 40 which was read as follows:

In the House of Representatives, March 10, 1959.

Recent actions and activities of The Pennsylvania Interscholastic Athletic Association have not been in the best interest of furtherance of sports within this Commonwealth

The Pennsylvania Farm Show Arena has been made available for interscholastic athletic activities at an expense in the vicinity of \$100,000 but the group which heretofore was ceaseless in its demands to make such facilities available is now reluctant to fully utilize them

This seemingly inconsistent behavior on the part of the officials of the PIAA is difficult to understand as are other recent actions of said officials therefore be it

Resolved That the Joint State Government Commission is hereby directed to study and investigate the policies and operations of the Pennsylvania Interscholastic Athletic Association and be it further

Resolved That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect

On the question,

Will the House adopt the resolution?

A division was called for, ninety-eight Members having voted in the affirmative and fifty in the negative, the question was determined in the affirmative and the resolution was adopted.

### HOUSE RESOLUTION No. 52

The SPEAKER laid before the House, Resolution No. 52 which was read as follows:

In the House of Representatives, April 1, 1959.

The economic well being of the people of this Commonwealth depends upon the retention and increase of its industrial strength and the provision of adequate employment for its citizens.

In recent years certain industries especially the "soft-goods" industries have been enticed to move to other

states by the prospect of cheap labor with a resulting loss in employment for Pennsylvania workers in these industries.

It is in the interest of this Commonwealth to sustain the standard of living of its citizens protect its industries and workers and combat unemployment in every possible manner.

An increased Federal minimum wage is the only means by which the unfair competition of cheap labor can be equalized therefore be it

Resolved (the Senate concurring) That the General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States and calls upon it to increase the Federal minimum wage to \$1.25 and be it further

Resolved That copies of this resolution be transmitted to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States of America and to the President of the United States.

On the question,

Will the House adopt the resolution?

A division was called for, more than a majority of the Members having voted in the affirmative the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk present the same to the Senate for concurrence.

### HOUSE RESOLUTION No. 59

The SPEAKER laid before the House, House Resolution No. 59 which was read, considered and adopted as follows:

In the House of Representatives, April 15, 1959.

There is widespread dissatisfaction in this Commonwealth with the present laws relating to the condemnation of private property for public purposes and with the procedure in effect thereunder for determining the amount of damages to be awarded in connection with such takings This dissatisfaction is increasing because of highway extension programs suburban expansion urban redevelopment municipal growth and public authority activities It has been heightened further because of the lack of uniformity in law and procedure as evidence in the multifarious laws under which the various condemnors in this State must now act The courts have been handicapped in developing satisfactory procedures to aid in arriving at substantial justice between the parties involved because of these statutory variances and because of judicial precedents which originated largely during the agrarian period of the Commonwealth's history and which fail to take into consideration the problems created by a changing economy the expanding population and a revised concept of what constitutes public use.

A thorough and exhaustive study of all statutes on the subject of eminent domain now in force in this Commonwealth should be made and in addition comparable legislation of other states should be examined for the purposes of

(1) Developing a single procedure if possible to provide for a determination of compensation to be paid in all cases regardless of the identity of the condemnor

(2) Providing for the use of court-appointed appraisers but permitting the parties to offer additional testimony if they so desire

(3) Providing for payment to condemnors and other interested parties of a percentage of the value of the property taken as determined by the court-appointed appraisers within a definite period of time following the filing of their appraisal report in court

(4) Developing a more workable and modern definition of "just compensation" which shall be applicable to all condemnors alike

(5) Defining "time of taking" so that it shall be uniform in practice for all condemnors

(6) Requiring condemnors to institute proceedings for



determination of dangers payable within a definite period of time following the taking

(7) Requiring such damage proceedings to be instituted against the owners of all of the property taken

(8) Requiring that notice be given to all owners of property taken within a definite period of time after the taking

(9) Requiring that personal or mailed notice of taking be given to tenants mortgagees and other lienholders of record of the property taken

(10) Giving tenants mortgagees and other lienholders the statutory right to intervene and participate in damage proceedings to protect their respective interests in the damages to be paid

(11) Requiring that a description of the property taken be recorded in the Recorder of Deed's office

(12) Requiring that a notice of taking be filed in the Recorder of Deed's office indexing the condemnee's name in the grantor index and the condemnee in the grantee index

(13) Requiring that the Commonwealth be made liable as other condemnors are for consequential damages.

(14) Prohibiting condemnors from acquiring base fee interests in the property taken and

(15) For making such other improvements in the law and procedure pertaining to this subject as may after such study prove to be equitable and just therefore be it

Resolved (the Senate concurring) That the Joint State Government Commission be directed to study and investigate exhaustively the law and procedure relating to the exercise of the right to condemn property for public purposes in Pennsylvania and for the payment of damages therefor with a view toward proposing a complete revision and codification thereof into one statute in order to eliminate present inconsistencies produce uniformity in practice and procedure assure just and equitable treatment between all interested parties and in general improve the administration of justice in this field of law and be it further

Resolved That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations and submit thereto a draft of codifying legislation which carries into effect such recommendations.

Ordered, That the Clerk present the same to the Senate for concurrence.

### HOUSE RESOLUTION No. 79

The SPEAKER laid before the House, House Resolution No. 79 which was read, considered and adopted as follows:

In the House of Representatives, June 2, 1959.

Whereas The laws of this Commonwealth relating to agriculture and its related fields are numerous. Many of them are obsolete since we have entered into the era of modern farming and animal husbandry and

Whereas Local governmental agencies and other law enforcement agencies are unaware of existing statutes and in many cases duplicate ordinances or ordinances in conflict with existing state laws are sometimes enacted and

Whereas Inquiries are always being presented in reference to the laws relating to agriculture and many times there is misunderstanding and confusion which results in unnecessary expenditures of the tax payers money and

Whereas There is no codification of the agriculture laws and the acts dealing with farms and farming therefore be it

Resolved That the Joint State Government Commission be directed to study the laws relating to agriculture and its related fields and be it further

Resolved That the Joint state Government Commission revise and modernize the existing laws and draft a proposed codification and report to the next regular session of the General Assembly as to its findings and recommendations.

### HOUSE RESOLUTION No. 82

The SPEAKER laid before the House, House Res-

olution No. 82 which was read, considered and adopted as follows:

In the House of Representatives, June 8, 1959.

The laws of the Commonwealth of Pennsylvania relating to the safety of persons employed housed or assembled in public buildings and other buildings and structures which accommodate a number of persons are in many instances obsolete and badly in need of revision .

Due to the advances which have been made throughout the years in the design and construction of buildings and the means of protecting such buildings and the persons therein the same cannot be adequately governed by an act adopted over thirty years ago therefore be it

Resolved (the Senate concurring) That the Joint State Government Commission be directed to make a thorough study of the act of April 27, 1927 (P. L. 465), sometimes referred to as the "Fire and Panic Act" and the amendments thereto and related laws for the purpose of recommending a revision and modernization thereof and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk present the same to the Senate for concurrence.

### HOUSE RESOLUTION No. 83

The SPEAKER laid before the House, House Resolution No. 83 which was read, considered and adopted as follows:

In the House of Representatives, June 10, 1959.

The Congress under the Provisions of the Federal-Aid Highway Act of 1956 declared it essential in the national interest to provide for the early completion of the National System of Interstate and Defense Highways which shall be in the Continental United States and shall not exceed forty-one thousand miles in length; and

The Congress provided that the National System of Interstate and Defense Highways shall be so located as to connect as directly as practicable the principal metropolitan areas, cities and industrial areas and to serve the national defense; and

The Congress provided that the routes be selected by joint action of the State Highway Departments of each State and the adjoining States subject to the approval of the Secretary of Commerce; and

To provide for the early completion of this most important National System of Interstate and Defense Highways and for the best interests of the national economy the States with the approval of the Secretary of Commerce selected as part of the System certain toll and free highways already constructed or in various stages of construction; and

The selection of these toll and free highways as part of the Interstate System both expedited the use of parts of the System and obviated the immediate expenditure of certain Federal Funds; and

The expenditure of State Funds State Guaranteed Funds and Funds raised by bond issues placed on certain States and the users of their toll highways a burden greater than that placed on States in which no toll or free highways had been incorporated in the Interstate System; and

The initial recommendation and proposals to the Congress were to reimburse the State in accordance with prescribed formulae for the toll and free highways incorporated in the Interstate System; and

The Commonwealth of Pennsylvania has some 388.2 miles of toll and free highway with a net reimbursable value of \$287,000,000.00 incorporated in the Interstate Highway System; and

If the Commonwealth of Pennsylvania is not reimbursed for the toll and free highways incorporated in the Interstate System, the result will be the citizens business and industry in one portion of the State will be paying toll to



pursue their activities while those in other portions of the State can pursue their activities free of toll; and

It is inequitable to the taxpayers of Pennsylvania to have contributed disproportionately to those in other States for free highways in Pennsylvania incorporated in the Interstate Highway System and for the citizens business and industry in one portion of the Commonwealth to pay tolls to pursue their activities while in other portions of the Commonwealth the citizens pursue similar activities free of toll; Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby declares that

a. It is only equitable and fair that the States be reimbursed for the toll and free highways incorporated in the National System of Interstate and Defense Highways;

b. The Principal of the intent to reimburse the States be definitely established by the Congress as early as possible;

c. The actual reimbursement should start as soon as possible but must in nowise interfere with the "intent of the Congress that the Interstate System be completed as nearly as practicable over a thirteen year period and that the entire system be brought to simultaneous completion." Nor should it interfere with the planned allocations to the States for the Primary Secondary and Urban Systems;

d. The funds received by the States from the Federal Government be utilized;

(1) To liquidate the cost of toll roads on the Interstate System including the liquidation of any outstanding bonds constituting a valid lien against such toll roads;

(2) To construct projects on such other highways of the Federal-Aid System as each State may select subject to the approval of the Federal Bureau of Public Roads; and be it further

Resolved That copies of this resolution be transmitted to President Dwight D. Eisenhower, Bertram D. Tallamy, Administrator, Bureau of Public Roads, Frederick H. Mueller, Secretary of Commerce, Joseph S. Clark and Hugh Scott, United States Senators from Pennsylvania, Charles A. Buckley, Chairman of the House Committee on Public Works, Dennis Chavez, Chairman of the Senate Committee on Public Works and to the following congressmen: Daniel J. Flood, Ivor D. Fenton, Francis E. Walter, Alvin R. Bush, Richard M. Simpson, James E. Van Zandt, Leon H. Gavin, Carroll D. Kearns, Frank M. Clark and Walter Mumma.

### HOUSE RESOLUTION No. 88

The SPEAKER laid before the House, House Resolution No. 88 which was read, considered and adopted as follows:

In the House of Representatives, June 17, 1959.

The Great Lakes have long served these United States as arteries of commerce havens, for recreation and sources of food.

Shrewd bargaining and blessed foresight caused Pennsylvania statesmen to secure the Erie Triangle more than one hundred fifty years ago, thus giving this Commonwealth access to and a port on the Great Lakes.

Through the years the port of Erie has been a great center of commercial fishing. The wall-eye yellow and blue pike are recognized as delicacies throughout the eastern United States. To an even greater extent, the famed Lake Erie Whitefish is known and sought after throughout the world.

As late as 1950 more than thirty commercial fish tugs operated out of the port of Erie, thus affording employment for many and license fees in substantial amounts paid to the Pennsylvania Fish Commission.

Untold numbers of vacationers and sportsmen journeyed to Erie each summer to enjoy night-fishing for Lake Erie's bounty.

At the present time but two commercial fish tugs operate regularly out of Erie. For the week ending May 30, 1959 crew members of one of these tugs earned the paltry amount of \$8.50 each for over sixty hours labor over the depths of a once great lake. Recreational fishing has deteriorated to the extent that not a single bid was made

on a fishing "party" boat exposed to public auction in Erie on June 4, 1959.

Sportsmen and commercial fishermen attribute the decline of fishing to many factors including the following:

1. Pollution of Lake Erie by industrial titans inadequately controlled by governmental bodies.

2. Dredging operations directed towards and removal for commercial use which dredging is conducted over sand bars which are the natural spawning grounds for fish, particularly pike.

3. Intentional depositing of silt and refuse upon these same sand bars likewise disrupting and destroying the spawning efforts of fish.

4. Outright poaching in Commonwealth waters by fishermen of other states and other countries.

5. Uncontrolled natural propagation of the smelt, a small but cannibalistic fish which feeds on the fry of other fish.

6. To a lesser extent at present the ravages of the lamprey eel.

7. According to the Pennsylvania Fish Commission "environmental conditions propagation early survival water temperatures . . . and the competition with other species for food and space."

8. The cessation by the Fish Commission of hatchery operations in Erie whereby previously fry and fingerlings were hatched in hundreds of thousands for stocking Commonwealth waters off Erie County.

Whatever the reasons fishing out of Erie has declined. Never since 1919 has the catch of fish been so poor as now; therefore be it

Resolved, That the Joint State Government Commission be directed to undertake an immediate and comprehensive study as a background for the preparation of legislation enforceable in Commonwealth waters which would alleviate in any degree the conditions above recited to determine the feasibility of an interstate compact or agreement with other states, the borders of which are on the Great Lakes particularly Lake Erie so as to improve fishing by concerted effort to appraise the powers, functions and limitations of agencies of the Federal government so that Commonwealth leadership can be asserted if such is deemed necessary; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

### HOUSE RESOLUTION No. 90

The SPEAKER laid before the House, House Resolution No. 90 which was read, considered and adopted as follows:

In the House of Representatives, June 29, 1959.

Under the provisions of the Federal Boating Act of 1958, commonly known as the Bonner Bill, the states are permitted to assume full jurisdiction over the use and registration of pleasure boats, including those formerly registered with the Coast Guard.

Regulation by the Commonwealth will serve as a source of revenue as the registration fees which heretofore were paid into the Federal treasury can be used to support our own boating safety programs. It will also permit the regulation of watercraft in accordance with our own special requirements.

The rapid increase in the use of pleasure boats in waters of this Commonwealth makes it imperative that if we are to regulate these crafts our regulations must be enacted as a result thorough study so that they will adequately provide for the safety of the boating public; therefore be it

Resolved, That the Joint State Government Commission be directed to make a thorough study of the Federal Boating Act of 1958, commonly known as the Bonner Bill, and the rules of water safety, boat licensure and related subjects governed by this act such study also include an analysis of any laws enacted prior to or during the 1959 session of the Pennsylvania General Assembly relating to watercraft safety; and be it further

Resolved, That the Joint State Government Commission



report to the next regular session of the General Assembly its findings and recommendations together with drafts of proposed legislation necessary to carry such recommendations into effect.

### HOUSE RESOLUTION No. 97

The SPEAKER laid before the House, House Resolution No 97 which was read, considered and adopted as follows:

In the House of Representatives, July 27, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining, be revised and codified; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and non-metallic mining and to prepare a revision and codification of such laws. In preparing the revision and codification, the Joint State Government Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, representatives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study together with its draft of a codification of the mining laws to the next General Assembly.

Ordered, That the Clerk present the same to the Senate for concurrence.

### HOUSE RESOLUTION No. 99

The SPEAKER laid before the House, House Resolution No. 99 which was read, considered and adopted as follows:

In the House of Representatives, July 28, 1959.

The present crisis in education will not subside in the foreseeable future unless clear and precise investigation into the causes thereof are uncovered and workable plans are made to avoid duplication of past mistakes in the future conduct of the educational system within this Commonwealth.

In order to formulate far reaching plans for public education it is necessary to have a fair and impartial study made by experts in the field of education therefore be it

Resolved That this House of Representatives hereby requests the Honorable David L. Lawrence Governor of Pennsylvania to appoint a committee consisting of leaders and other experts in the field of education to study the following problems.

(1) What are our schools costing us now, what may they cost next year or the year after and what must we expect to pay for good public education a generation or more hence?

(2) How can the cost of operating our public schools be reduced without materially affecting their ability to educate our children?

(3) How should the cost of public education be divided among the people who live in the Commonwealth? Should a taxpayer's contribution be based on his income his spending his real estate holdings the size of his family or on some other basis?

(4) What kind of new techniques are being developed throughout the Nation to make teaching swifter and easier and learning commensureately more economical and effective?

(5) Have new social and economic factors many of them emerging since World War II created a need for a new type of education for some segments of our society? And be it further

Resolved That this House of Representatives hereby requests the Department of Public Instruction, the Pennsylvania State University, the various State Teachers' Colleges and other colleges and universities within this Com-

monwealth, the various school districts throughout the Commonwealth and the various educators devoting their time and efforts to the various fields of learning to cooperate with and render such aid and assistance as may be necessary to the Governor's committee appointed as recommended herewith and be it further

Resolved that the committee is hereby requested to make a report of its findings and recommendations to the Governor and to the General Assembly of Pennsylvania on or before February 1, 1961 and be it further

Resolved That a copy of this resolution be sent to the Honorable David L. Lawrence, Governor of Pennsylvania.

### HOUSE RESOLUTION No. 100

The SPEAKER laid before the House, House Resolution No. 100 which was read as follows:

In the House of Representatives, August 3, 1959.

Whereas The procedures employed by the Commonwealth to make available financial assistance to nonprofit hospitals in order to facilitate the care of the sick and the injured poor have not been comprehensively reviewed within the recent past and

Whereas Alternate procedures have been suggested therefore be it

Resolved (the Senate concurring) That the Joint State Government Commission investigate and evaluate the standards and procedures currently used by the Commonwealth to provide such financial aid and that currently used procedures be compared with alternative procedures proposed as regards Commonwealth costs and operating efficiency and be it further

Resolved That the Joint State Government Commission report its findings and recommendations together with drafts of such legislation as may be necessary to carry its recommendations into effect to the next regular session of the General Assembly.

On the question,

Will the House adopt the resolution?

Mr. EILBERG. Mr. Speaker, this resolution covers a subject which is very distressing to me, and I think to many of the Members of the House. Some of the remarks I am about to make perhaps more properly might have been said in connection with House Bill 2324 which passed this House a couple of weeks ago.

Members of the House will remember that the bill was brought up quite late in the day, and I was extremely reluctant to say anything at that time because of the late hour. I hope, therefore, that the House will indulge me if I refer to House Bill 2324, which covers the same area.

Mr. Speaker, what I would like to present at this time is basically a brief statement which was presented to all the Members of this House by the Hospital Council of Philadelphia and the Committee on Government Relations, which it seems to me has been largely overlooked by this House and which I feel is just about unforgiveable. I am going to read it; it is rather brief.

"Attached is your copy of the Mathieson-Aitken Study commissioned to provide the Legislature with an independent analysis of Federal hospital funds and state costs. In reading the report you will note the following:

1) Federal matching funds of \$5 million a biennium are available.

2) No additional state funds required above the planned \$32.5 million.

3) Hospitals could be reimbursed at 65% of cost up to \$13 per day.

4) At least 85 percent free days would be eligible. "This study"—which has been ignored by this House, by the way—"should end the controversy over the figures, so the Legislature can now consider the purchase-of-care plan on its



merits and take action this year to obtain the untapped Federal funds.

If delayed two more years—and, Mr. Speaker, I am interpolating now, two more years at least if this resolution presently before the house were to go through—while more studies are made, this will cause financial distress and possibly closed doors for numbers of our community hospitals in Pennsylvania. A \$15.2 million deficit for needy care, after state aid, was absorbed by our 58 member hospitals last biennium. This deficit will go still higher under the \$10 rate proposed for next biennium. Daily costs in our hospitals now average \$22 per day, and will be up to \$24 per day in two years.

The Federal funds can still be obtained through a simple, one-paragraph amendment to the hospital appropriation bill (H. 2324)—which unfortunately passed this House—along the lines suggested by the Varallo-Markley Bill (H. 2236)—which Mrs. Varallo of Philadelphia helped sponsor—If this is not done, then the Legislature should provide an equivalent additional amount in state funds.

Mr. Speaker, I do not know what the hospitals in Philadelphia are going to do without additional help from the state during the coming biennium. I, therefore, ask you to vote against the resolution.

On the question recurring,

Will the House adopt the resolution?

A division was called for, more than a majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

#### REASONS FOR VOTE

Mrs. VARALLO filed the following reasons for her vote on House Resolution No. 100, Printer's No. 1307:

This Resolution, if passed, will place one of the most important problems facing this State in an area where nothing is going to be done for the next two years.

What is absolutely necessary is that some constructive thinking and legislation implementing this thinking be undertaken rather than having another study made.

As you all probably know, these studies are received either by mail or being placed on the desk of every member and that is probably the last time most of us ever see or hear any more about the problem.

I feel that the State of Pennsylvania is losing out on Federal funds which are available to our hospitals. The way to solve this problem is not by a study but by proper legislation which will implement the Federal laws.

I believe that a careful perusal of the report made by Mathisson-Aitken Study would be very beneficial before any action is taken by the Legislature on any Resolution or legislation so that some intelligent decision can be made.

It is for these above reasons that I am opposing this Resolution and ask that the Legislature study my bill—House Bill No. 2236. I am sure that if the members will make a careful study of this legislation and material already available on the subject, they will come to the same conclusion as I did and not vote for just one more study to be made.

I want to close by saying that our job is to help people who are now in need of help rather than ask them to wait and continue to suffer until a study is made. What we need is action and the time is now.

#### HOUSE RESOLUTION No. 102

The SPEAKER laid before the House, House Resolution No. 102 which was read, considered and adopted as follows:

In the House of Representatives, August 5, 1959.

It has long been evident that the rulers of international Communism are determined to spread their godless doctrine to every part of the globe by any and all means including war if other means fail.

The people of the United States and of the Commonwealth of Pennsylvania may one day be subjected to the supreme trial of an all-out atom and hydrogen bomb attack.

Such an all-out attack against us is less likely to come if we bring our military and civil defense preparedness to a high level.

The continuity of State government and protection of its key personnel will be of vital importance during an atomic attack.

The General State Authority is now designing a second underground parking facility to be built adjacent to the State Capitol Building in Harrisburg therefore be it

Resolved (the Senate concurring) That the State Council of Civil Defense in cooperation with the General State Authority be directed to consult with the Atomic Energy Commission in Washington D. C. on the feasibility of extending the use of the projected underground parking facility to include (1) a fallout shelter for government employes (2) emergency operational headquarters to be used by the Governor and the Council of Civil Defense or both and study such other Civil Defense uses as can be made of the structure and be it further

Resolved That the State Council of Civil Defense report its finding to the Legislature and be it further

Resolved That copies of this resolution be transmitted to the State Council of Civil Defense and to the General State Authority.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### HOUSE RESOLUTION No. 103

The SPEAKER laid before the House, House Resolution No. 103 which was read, considered and adopted as follows:

In the House of Representatives, August 17, 1959.

No one knows exactly how many of the mentally ill could be discharged from our hospitals unless there is an opportunity to find out The Philadelphia State Hospital (Byberry) carried out a small project in 1947 to find an answer to this most important question by taking 20 of its most disturbed patients from the worst building and gave them enough attendants to meet their needs to teach them to take care of themselves to take them for a walk, to talk to them, to help them back to reality.

At the end of six months five of the 20 were out of the hospital. Another five were able to take care of themselves and were allowed the freedom of the hospital. Over the next year several more were discharged. This result is highly encouraging. In fact many authorities estimate that with good treatment and care almost 85% of all patients in the average mental hospital can be released in a year or two.

Why cannot the successful pilot project carried out by the Philadelphia State Hospital (Byberry) be applied to all mental patients. The answer is simple it can provided sufficient funds are available.

The American Psychiatric Association has set standards for the number of doctors nurses and attendants needed to give patients good treatment. To meet these standards the Philadelphia State Hospital (Byberry) which currently operates on \$3.10 a day per patient would need to spend about \$6.00 per day per patient. Pending legislation will raise the amount to \$3.45 per patient at Byberry and all of the other 16 State hospitals in Pennsylvania will receive \$4.00 or more.

Byberry cannot do more for less just because of its size.



Each of its 6,600 patients needs as much care as any other patient in a smaller hospital. Byberry, the largest State hospital has long past the point where large purchases result in reduced prices.

Insufficient funds mean improper treatment for our mentally ill with a proportionate decrease in the number of persons who can return to normal living therefore be it

Resolved That the Joint State Government Commission make a study of the cost of caring for the mentally ill in the Philadelphia State Hospital (Byberry) and investigate and compare the financial aid supplied to the Philadelphia State Hospital (Byberry) with the amount of assistance given other State Hospitals and be it further

Resolved That the Joint State Government Commission report its findings and recommendations for supplying the Philadelphia State Hospital (Byberry) with ample funds for its proper operation and maintenance together with drafts of such legislation as may be necessary to carry its recommendations into effect to the next regular session of the General Assembly.

### HOUSE RESOLUTION No. 104

The SPEAKER laid before the House, House Resolution No. 104 which was read, considered and adopted as follows:

In the House of Representatives, August 18, 1959.

The present system of school operation administration and financing by districts in many instances creates tax inequities and imposes unnecessary burdens on parents and children alike.

Districts consisting solely of residential areas are finding it almost impossible to provide proper facilities with the proceeds from reasonable taxation while districts having industry within their boundaries have few financial worries in continuing their education programs.

In many districts single and combined school children spend several unrewarding hours a day just riding a school bus when there are schools nearby but which happen to be in a different district.

A duplication of supervisory functions is also a costly and yet a common attribute of our present school system therefore be it

Resolved That the Joint State Government Commission study the administration, operation and financing of public education in terms of county-wide units rather than the existing school districts and be it further

Resolved That the Joint State Government Commission report its findings and recommendations together with drafts of legislation necessary to carry its recommendations into effect at the beginning of the next regular session of the General Assembly.

### BILLS ON CONCURRENCE IN SENATE AMENDMENTS

Mr. McCANN asked and obtained unanimous consent to call up out of order House Bill No. 409 on page 17 of today's calendar, bills on concurrence in Senate amendments.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 409.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind, paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by inserting after the word "marines" at the end of line 10, the following: "and the General Assembly may by general laws set up standards and qualifications for private forest reserves and making special provision for the taxation thereof Citizens and residents of this Common—"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Gailey,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Brenninger,	Heavey,	Merry,	Silverman,
Breth,	Heffner,	Miller, B. Z.,	Snare,
Buchanan,	Helm,	Miller, H. G.,	Snider,
Burns,	Henzel,	Mills,	Stank,
Capano,	Hocker,	Monroe,	Steckel,
Capitolo,	Holliday,	Muldowney,	Stevens,
Cianfrani,	Holt,	Munley,	Stewart,
Cioffi,	Horst,	Murphy, A. J., Jr.,	Stoner,
Clarke,	Irlis,	Murphy, P. J.,	Strausser,
Comer,	Isaacs,	Murray, H. P.,	Stroup,
Crossin,	Jenkins,	Murray, J. J.,	Sullivan,
Curwood,	Jim,	Murray, P. G.,	Tompkins,
Davis,	Johnson, A. W.,	Musto,	Truslo,
Dengler,	Johnson, R.,	Naugle,	Ujobal,
Dennison,	Jones, F. R.,	Needham,	Varallo,
Devlin,	Jones, T. H. W.,	Nelson,	Varnier,
Donahue,	Jump,	O'Dell,	Verona,
Donaldson,	Kamyk,	O'Donnell, J. A.,	Wall,
Dougherty,	Kelser,	O'Donnell, J. P.,	Walsh,
Down,	Kernaghan,	Odorisio,	Wargo,
Edwards,	Kessler,	Ogilvie,	Weldner,
Eilberg,	Knecht,	O'Neill,	Wescott,
Eshback,	Kooker,	Parlante,	Wheeler,
Eshleman,	Kornick,	Pashley,	Williams, A. D. Jr.,
Ewing,	Korns,	Perry, H. H.,	Williams, E. S.,
Farabaugh,	Kovolenko,	Perry, P. E.,	Willard,
Fetterolf,	Kubitsky,	Petrosky,	Willaredt,
Filo,	Lamb,	Polaski,	Wood,
Fineman,	Lee, A. M.,	Polen,	Worley,
Floyd,	Lee, K. B.,	Prendergast,	Wynd,
Flynn,	Leonard,	Price,	Yatron,
Foerster,	Limper,	Pursley,	Yetter,
Fox,	Lippincott,	Reibman,	Zimmerman,
Frank,	Lopresti,	Reidenbach,	Andrews,
Frascella,	Lulgard,	Renwick,	Speaker
	Luty,	Rigby,	

#### NAYS—0

#### NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 578.

An Act amending the act of May 3, 1933 (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture, defining beauty culture and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators, conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties," changing eligibility requirements for examination.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 7, by inserting after the word "examination" the following: "(2) if under thirty-five years of age"; page 3, by inserting all of lines 9 to 12 inclusive, as follows: or in lieu of such education or the equivalent thereof shall have received training from or under the auspices of the Bureau of Rehabilitation in the Department of Labor and Industry.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovanseck,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Irvls,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujosal,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varnier,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Kelser,	O'Donnell, J. P.,	Walsh,

Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Weidner,
Edwards,	Knecht,	O'Neill,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Pozaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Lulgard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

#### NAYS—0

#### NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1177.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," prescribing penalties for operators who fail to notify the Department of Revenue of a change of address within the time required by law and changing the time within which such notification must be given.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the figures "1959" the following: "(Act No. 32)".

Amend Section 1, page 2, by striking out after the figures "1959" on line 1, the following: "(Act No. 32)"; page 2, line 17, by striking out after the word "hours" the following: "thirty (30)" and inserting in lieu thereof the following: "fifteen (15)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—189

Agnew,	Galley,	McCann,	Riley,
Anderson,	Gallagher,	McCormack,	Rovanseck,
Arlene,	Garlock,	McDonald,	Royer,

Ashton,	Gelfand,	McInroy,	Rudisill,
Balthaser,	George,	McLaughlin,	Sakulsky,
Barton,	Gibb,	Machmer,	Scarcell,
Blair,	Goldstein,	Magee,	Schaaf,
Bonner,	Goodrich,	Mahan,	Schuster,
Boris,	Gramlich,	Markley,	Schwartz,
Bower,	Guthrie,	Maxwell,	Seltzer,
Bowman,	Hamilton,	Meholchick,	Sherman,
Branca,	Heavey,	Merry,	Shupnik,
Brenninger,	Heffner,	Miller, B. Z.,	Silverman,
Breth,	Helm,	Miller, H. G.,	Snare,
Buchanan,	Henzel,	Mills,	Snider,
Burns,	Hocker,	Monroe,	Stank,
Capano,	Holliday,	Muldowney,	Steckel,
Capitolo,	Holt,	Munley,	Stevens,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stewart,
Cioffi,	Irviss,	Murphy, P. J.,	Stoner,
Clarke,	Isaacs,	Murray, H. P.	Strausser,
Comer,	Jenkins,	Murray, J. J.,	Stroup,
Crossin,	Jim,	Murray, P. G.,	Sullivan,
Curwood,	Johnson, A. W.,	Musto,	Tompkins,
Davis,	Johnson, R.,	Naugle,	Trusio,
Dengler,	Jones, F. R.,	Needham,	Ujobai,
Dennison,	Jones, T. H. W.,	Nelson,	Varallo,
Devlin,	Jump,	O'Dell,	Varner,
Donahue,	Kamyk,	O'Donnell, J. A.,	Verona,
Donaldson,	Keiser,	O'Donnell, J. P.,	Wall,
Dougherty,	Kernaghan,	Odorisio,	Walsh,
Down,	Kessler,	Ogilvie,	Wargo,
Edwards,	Knecht,	O'Neill,	Weldner,
Ellberg,	Kooker,	Parlante,	Wescott,
Eshback,	Kornick,	Pashley,	Wheeler,
Eshleman,	Korns,	Perry, H. H.,	Williams, A. D., Jr.,
Ewing,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kubitsky,	Petrosky,	Willard,
Fetterolf,	Lamb,	Polaski,	Willaredt,
Fillo,	Lee, A. M.,	Polen,	Wood,
Fineman,	Lee, K. B.,	Prendergast,	Worley,
Floyd,	Leonard,	Price,	Wynd,
Flynn,	Limper,	Pursley,	Yatron,
Foerster,	Lippincott,	Reibman,	Yetter,
Fox,	Lopresti,	Reidenbach,	Zimmerman,
Frank,	Lulgard,	Renwick,	Andrews,
Frascella,	Lutty,	Rigby,	Speaker
Fulmer,	McCandless,		

## NAYS—1

Auker,

## NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1537.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto," changing provisions relating to the keeping open of schools.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 7, by striking out the parenthesis before the word "Twenty" and after the word "month".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcell,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Irviss,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobai,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varner,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Keiser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Weldner,
Edwards,	Knecht,	O'Neill,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wood,
Fillo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Lulgard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

## NAYS—0

## NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill



from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1577.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors," providing for inspection of certain vehicles operated outside the State and providing for the operation of uninspected vehicle by dealers in certain cases.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the figures "1959" the words and figures "Act No. 32" and inserting in lieu thereof the letters and figures "(P. L. 58)"; line 6, by inserting after the word "State" the following: "and providing for the operation of uninspected vehicle by dealers in certain cases"; Section 1, page 2, line 1, by striking out after the figures "1959" the words and figures "(Act No. 32)" and inserting in lieu thereof the letters and figures "(P. L. 58)" and page 2, by inserting after line 12 the following:

Section 2, subsection (h) of section 834 of the act is amended to read

Section 834. Official Inspections.

\* \* \*

(h) It shall be unlawful to operate any motor vehicle, trailer or semi-trailer on a highway (1) during an inspection period unless the motor vehicle trailer or semi-trailer has been inspected during the present or last preceding inspection period and (2) after the close of any inspection period unless it has been inspected during the last preceding inspection period and (3) a certificate for the proper period furnished and displayed, provided that this subsection shall not apply to any vehicle while it is being towed to an official inspection station if the towing vehicle displays a certificate of inspection for the proper period nor to any motor vehicle being operated by a dealer or an agent of a dealer from the point of purchase of such motor vehicle whether within or without the Commonwealth to such dealer's place of business during the forty-eight (48) hour period immediately following the purchase of such vehicle or if purchased without the Commonwealth during the forty-eight (48) hour period immediately following entry into the Commonwealth.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	SchAAF,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,

Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Stoner,
Cioffi,	Irviss,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobai,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varnier,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Kelser,	O'Donnell, J. P.	Wargo,
Dougherty,	Kernaghan,	Odoriso,	Walsh,
Down,	Kessler,	Ogilvie,	Weidner,
Edwards,	Knecht,	O'Neill,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Luigard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

#### NAYS—0

#### NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 2201

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" further regulating obscene exhibitions.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.  
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 8, by striking out after the bracketed words and figures "(five hundred dollars (\$500))" the words and figures "three thousand dollars (\$3,000)" and inserting in lieu thereof the words and figures "one thousand five hundred dollars (1,500)"; line 11, by striking out after the bracketed words and figures at the beginning of the line "(one (1) year)" the word and figure "three (3)" and inserting in lieu thereof the word and figure "two (2)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.,	Stoner,
Cioffi,	Irvia,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroupe,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobai,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varner,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Weldner,
Edwards,	Knecht,	O'Neill,	Wescott,
Eilberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Luigard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

## NAYS—0

## NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boies,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 2237

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" clarifying and revising

the provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, line 13 by striking out after the word "a" the word "felony" and inserting in lieu thereof the word "misdemeanor"; line 14, by striking out after the word "exceeding" the word and figure "three (3)" and inserting in lieu thereof the word and figure "two (2)"; line 15, by striking out after the word "exceeding" the words and figures "three thousand dollars (\$3,000)", and inserting in lieu thereof the words and figures "one thousand five hundred dollars (\$1,500)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1616, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith an making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1971, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class under certain conditions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2078, entitled:

An Act amending the "Public School Code of 1949" providing a minimum wage for employees of school districts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 221, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing school directors to charge tuition fees for adult extension education and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.



Agreeably to order,  
The House proceeded to the first reading and consideration of Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

And said bill having been read at length the first time,  
Ordered, to be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1075, entitled:

An Act relating to sewage and water facilities in realty subdivisions imposing duties on recorders of deeds granting powers to and imposing duties upon the Department of Health and its designated representatives and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles" etc. permitting payment of time balances in amounts varying with the expected income of the buyer.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1563, entitled:

An Act amending the "Banking Code" approved May 15 1933 (P. L. 624) eliminating certain provisions relating to corporate fiduciaries.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300) entitled as amended "An act providing for compliance with Federal law and the approval of certain institutions \* \* \*" abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to adoption" by abolishing the advisory committee on adoption standards.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1612, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) eliminating the necessity of approval by the State Board of Public Assistance of certain standards rules and regulations.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase own install maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise \* \* \*" transferring functions from the State Council for the Blind to the Department of Public Welfare.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KAMYK offered the following amendment:

Amend Sec. 1, page 2, line 1, by inserting after "(P. L. 847)" entitled, as amended, "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind, to purchase, own, install, maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise, stock, equipment and accessories necessary to operate vending or refreshment stands or other suitable business enterprises in locations leased or arranged for by said council; providing for the payment for the lease of such equipment and accessories and for repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations and accept Federal funds."

It was agreed to.

The section was agreed to as amended.

The second to sixth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,  
The House proceeded to the second reading and consideration of House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for investments of the permanent State School Fund.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2147, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) empowering the State Council of Education to promulgate standards for the acquisition of school grounds and construction of school buildings.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2174, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the election of district superintendents and assistant superintendents in districts of the third class.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2319, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing for the sale of borough owned electric light plants and the effect thereof.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DEVLIN offered the following amendment:

Amend Sec. 1 (Sec. 2472.1), page 2, line 1, by striking out "A" and inserting: "Any".

Amend Sec. 1 (sec. 2472.1), page 2, line 1, by inserting after "borough": "in a county of the second class."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. Devlin offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "plants": "in certain counties."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 160, Printer's No. 172 and

Senate Bill No. 684, Printer's No. 745,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 814, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for making loans on the security of bonds or notes secured by mortgages or deeds of trust and judgments of record by banks and bank and trust companies.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 868, Printer's No. 1015

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1035, entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340) entitled as amended "An Act empowering cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to municipality authorities.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 568, Printer's No. 1602

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

On the question,

Shall the bill pass finally?



Mr. TOMPKINS. Mr. Speaker, I wonder if the Majority Leader could give us an explanation of this bill. I am not quite sure what this bill is supposed to accomplish.

Mr. McCANN. Mr. Speaker, House Bill 1614, is a piece of legislation in which, at the present time, two units are incorporated in the bill for the operation under the Department of Public Welfare program dealing with juvenile cases in the line of both girls and boys.

One entry in the bill pertains to the New Cumberland disciplinary barracks. These barracks are located within the United States Army barracks at the New Cumberland Army Depot, and agreement can be reached with the United States Army for the rental of these barracks. I believe it would accommodate approximately 200 at the New Cumberland Depot in agreement.

The other item in House Bill 1614 covers the former childrens' home in Greene County, a large modern building in which they could house girls, since we do not use the building for a childrens' program in the county anymore. Ever since the adoption of the foster parent plan this building has not been in use and it is not used at the present time, a new modern two-story brick building with all the modern conveniences.

This particular piece of legislation would empower the Department of Property and Supplies and the Department of Public Welfare to enter into agreements for rental or purchase. The Army barracks they could not purchase, only rent. On the other they could either rent or purchase.

Mr. TOMPKINS. May I ask to interrogate the Majority Leader?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I note that one of the repealers in this Act is an Act that provides for the payment of clothing and the education of children at Morganza. Does this bill eliminate Morganza, put it out of existence, or what?

Mr. McCANN. No, Mr. Speaker. When the amendments were first prepared to 1614 on the prior print number, they repealed sections 3 and 4 and those sections should not have been repealed. The amendments to the bill brought back those sections that were repealed. This does not repeal the operation of that school, the Morganza school that you are talking about, in any way, sir.

Mr. TOMPKINS. I was wondering if the repealer contained one for the Morganza institution.

Mr. McCANN. Mr. Speaker, there was an error made by the Legislative Reference Bureau in preparing the amendments and that is why the correctional amendments restoring sections 3 and 4 had to be re-entered into the bill by Mr. Polen, the Chairman of the Appropriations Committee.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—179

Agnew,	Fulmer,	Lutty,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Balthaser,	Garlock,	McDonald,	Rudisill,
Barton,	Gelfand,	McInroy,	Sakulsky,
Blair,	George,	McLaughlin,	Scarcell,
Bonner,	Gibb,	Machmer,	Schaaf,
Boris,	Goldstein,	Magee,	Schuster,

Bower,	Goodrich,	Mahan,	Schwartz,
Branca,	Gramlich,	Markley,	Sherman,
Brenninger,	Guthrie,	Maxwell,	Shupnik,
Breth,	Hamilton,	Meholchick,	Silverman,
Buchanan,	Heavey,	Miller, B. Z.,	Snare,
Burns,	Heffner,	Miller, H. G.,	Snider,
Capano,	Helm,	Mills,	Stank,
Capitolo,	Henzel,	Muldowney,	Steckel,
Cianfrani,	Holliday,	Monroe,	Stevens,
Cioffi,	Holt,	Munley,	Stewart,
Clarke,	Horst,	Murphy, A. J., Jr.,	Stoner,
Comer,	Irviss,	Murphy, P. J.,	Strausser,
Crossin,	Isaacs,	Murray, H. P.,	Stroup,
Curwood,	Jenkins,	Murray, J. J.,	Sullivan,
Davis,	Jim,	Murray, P. G.,	Tompkins,
Dengler,	Johnson, A. W.,	Musto,	Trusio,
Dennison,	Johnson, R.,	Naugle,	Ujohal,
Devlin,	Jones, F. R.,	Needham,	Varallo,
Donahue,	Jones, T. H. W.,	Nelson,	Varnar,
Donaldson,	Jump,	O'Donnell, J. A.,	Verona,
Dougherty,	Kamyk,	O'Donnell, J. P.,	Wall,
Down,	Kernaghan,	Odoriso,	Walsh,
Edwards,	Kessler,	O'Neil,	Wargo,
Ellberg,	Knecht,	Parlante,	Weldner,
Eshback,	Kooker,	Pashley,	Wescott,
Eshleman,	Kornick,	Perry, H. H.,	Wheeler,
Ewing,	Korns,	Perry, P. E.,	Williams, A. D., Jr.,
Farabaugh,	Kovolenko,	Petrosky,	Williams, E. S.,
Fetterolf,	Kubitsky,	Polaski,	Willard,
Filo,	Lamb,	Polen,	Willaredt,
Fineman,	Lee, A. M.,	Prendergast,	Worley,
Floyd,	Lee, K. B.,	Price,	Wynd,
Flynn,	Leonard,	Pursley,	Yatron,
Foerster,	Limper,	Reibman,	Yetter,
Fox,	Lippincott,	Reidenbach,	Zimmerman,
Frank,	Lopresti,	Renwick,	Andrews,
Frascella,	Luigard,	Rigby,	Speaker

## NAYS—11

Ashton,	Hocker,	Merry,	Seltzer,
Auker,	Kelser,	O'Dell,	Wood,
Bowman,	McCandless,	Ogilvie,	

## NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boies,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,

House Bill No. 1652, Printer's No. 1633,

House Bill No. 1702, Printer's No. 1634 and

House Bill No. 1906, Printer's No. 1632, were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 143, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administration Code of 1929," defining institutions for adults and increasing the supervisory powers of the Department of Public Welfare.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—176

Agnew,	Galley,	McCann,	Riley,
Anderson,	Gallagher,	McCormack,	Rovansek,
Arlene,	Garlock,	McDonald,	Royer,

Auker, Balthaser, Barton, Blair, Bonner, Boris, Bower, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Dengler, Dennison, Devlin, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kelser, Kernaghan, Knecht, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lopresti, Luigard, Lutty, McCandless,	McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Muldowney, Monroe, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Oglvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Reibman, Reidenbach, Renwick, Rigby,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stoner, Strausser, Stroup, Sullivan, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—14

Ashton, Bowman, Davis, Donahue,	Fetterolf, Isaacs, Kessler, Kooker,	Lippincott, O'Dell, Odorisio,	Pursley, Seltzer, Tompkins,
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## NOT VOTING—18

Bell, Boles, Brown, Cooper, Dennis,	Kee, Light, McKeever, Mihm, Moran,	Mullen, Stimmel, Stone, Taylor,	Thompson, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS PASSED OVER

There being no objection,  
Senate Bill No. 375, Printer's No. 1403 and  
Senate Bill No. 864, Printer's No. 1419,  
were passed over at the request of the SPEAKER.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection,  
House Bill No. 325, Printer's No. 999,  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 765, entitled:

An Act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—150

Anderson, Arlene, Auker, Balthaser, Barton, Blair, Bonner, Boris, Bower, Bowman, Brasaca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Devlin, Donahue, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer,	Frascella, Galley, Gallagher, Garlock, Gelfand, George, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holt, Horst, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kelser, Kessler, Knecht, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless,	Lutty, McCann, McCormack, McDonald, McInroy, McLaughlin, Machmer, Markley, Maxwell, Meholchick, Miller, H. G., Mills, Monroe, Muldowney, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Reibman, Reidenbach, Renwick, Riley, Rovansek,	Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Strausser, Stroup, Sullivan, Trusio, Ujobai, Varallo, Verona, Wall, Walsh, Wargo, Weldner, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Willard, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—40

Agnew, Ashton, Davis, Dengler, Dennison, Donaldson, Down, Ewing, Fetterolf, Fulmer,	Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Holliday, Isaacs, Kernaghan, Kooker, McCandless,	Magee, Mahan, Merry, Miller, B. Z., Murphy, P. J., Murray, H. P., O'Dell, Odorisio, Oglvie, Price,	Pursley, Rigby, Snare, Stevens, Stoner, Stroup, Tompkins, Varner, Weldner, Willard,
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## NOT VOTING—18

Bell, Boles, Brown, Cooper, Dennis,	Kee, Light, McKeever, Mihm, Moran,	Mullen, Stimmel, Stone, Taylor,	Thompson, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 899, entitled:

An Act requiring the Department of Highways and the Department of Forests and Waters to make a survey in



co-operation with the United State Army Engineers concerning a roadway between Presque Isle State Park and the City of Erie.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. POLASKI. I would like to submit clippings from two Erie newspapers, a morning and an evening paper, substantiating the reasons for this survey and having them included in the Journal.

The SPEAKER. Without objection these statements will be spread upon the record.

Mr. POLASKI submitted the following clippings:

#### ERIE MORNING NEWS

Tuesday, Sept. 8, 1959

##### Season Ends—Peninsula Attracts 92,000

A throng estimated at nearly 92,000 persons visited Presque Isle State Park here over the long Labor Day weekend, park police said, to provide a bustling climax to one of the liveliest summer seasons in Peninsula history.

A total of 20,424 cars was clocked on the Peninsula from Friday morning until 10 p.m. Monday. Allowing four and a half persons per car, police computed total attendance for the four days at 91,908.

On Labor Day itself, traditional closing day for park beaches, attendance was pegged at 6,534 cars or an estimated 29,403 persons.

And although the summer vacation period is over, the Peninsula's superintendent last night predicted that nearly one million more persons will visit the beauty spot during the colorful "off-season" months between now and next Memorial Day."

Attendance figures for the entire vacation season, from Memorial Day through Labor Day, may set an all-time record, Park Supt. Michael E. Wargo admitted last night. He estimated that a tabulation of attendance would be some 10 to 12 per cent higher than last year. However, he cautioned that complete figures would not be compiled for some time.

"It's the nicest season in a quarter of a century," Wargo said. "Old timers tell me they've never seen a summer more beautiful."

Wargo said much of the credit for keeping the Peninsula an ideal playspot during the summer month goes to the lifeguards, park police, maintenance men and caretakers.

Licenses from every state in the union and most Canadian provinces were spotted on the park this summer. But an overwhelming majority of out-of-towners, park aides said, continued to be Downstate Pennsylvanians from the mining towns, steel towns and farms, who came here to frolic on Lake Erie's shore.

#### THE ERIE DAILY TIMES

Friday, August 28, 1959

##### Peninsula Bridge

A bridge to the Peninsula from the lower east side—a constantly-recurring dream—looks like it might have an eventual chance of getting off the ground.

The Pa. House Highways Committee has approved a bill introduced by East City Assemblyman Julian Polaski to have Army Engineers join with Pa. Highways and Forest and Waters

Departments to survey a proposed road between the Peninsula and Erie.

Supporters say such a bridge would have tremendous impact on the economic growth of the east side of the city.

The mushroom spread of motels on the westside is well known. The same sort of development could be possible along East Lake road and right into the city to East avenue if the Peninsula was opened to traffic from the east.

There is merit in the thought of building a bridge to the Peninsula.

It would ease the traffic load with the additional point of entry; it would give the eastside of the city an economic shot in the arm, and it would increase use of the Peninsula by both city residents and tourists.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Andrews,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Snare,
Branca,	Heavey,	Merry,	Shupnik,
Brenninger,	Heffner,	Miller, B. Z.,	Silverman,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Stoner,
Cioffi,	Irviss,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobal,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varnier,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Keiser,	O'Donnell, J. P.	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Weidner,
Edwards,	Knecht,	O'Neill,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A.D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Anderson,
Frank,	Luigard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

#### NAYS—0

#### NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection,

House Bill No. 1152, Printer's No. 1584,

House Bill No. 1161, Printer's No. 1375,

House Bill No. 1340, Printer's No. 1631,

House Bill No. 1505, Printer's No. 1553 and

House Bill No. 1592, Printer's No. 1598,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1629, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 1629, when it was originally introduced, covered the office of Secretary of Internal Affairs, Auditor General and State Treasurer.

This bill provides for the changing of time in which they shall, when elected, assume their office. The amendments were inserted in the bill taking out the Auditor General and the State Treasurer. Although we are not in a position to comment on the actual bill, there was a bill passed by the Senate, Senate Bill No. 654, which did this, and one other item in the bill dealing with succession of office.

We would like to send House Bill 1629 over to the Senate and then try to work out an agreement regarding the Auditor General, State Treasurer and Secretary of Internal Affairs as to the date of changing office. This would then either be amended or agreed to so that they could pass the bill on the first round dealing with the dates that they would change the date of their elective office to, I believe, the same date as the executive assumes office.

Therefore, I ask that this bill be supported, and we try to work it out in conference on Senate Bill 654, and then House Bill 1629.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelll,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,

Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Stoner,
Cioffi,	Irvlis,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobal,
Dengler,	Jones, F. R.,	Needham,	Varall,
Dennison,	Jones, T. H. W.,	Nelson,	Varnar,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Keiser,	O'Donnell, J. P.	Walsh,
Dougherty,	Kernaghan,	Odoriso,	Wargo,
Down,	Kessler,	Ogilvie,	Weidner,
Edwards,	Knecht,	O'Neill,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A.D., Jr.,
Eshleman,	Korna,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Luigard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

#### NAYS—0

#### NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1813, entitled:

An Act relating to cities of the Second Class A in relation to the publication of ordinances or resolutions and the drawing of money from the city treasury.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelll,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,



Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Ellberg, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty,	Muldowney, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Stevens, Stewart, Stoner, Strausser, Stroup, Sullivan, Tompkins, Trusio, Ujobal, Varallo, Verner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Bell, Boles, Brown, Cooper, Dennis,	Kee, Light, McKeever, Mihm, Moran,	Mullen, Stimmel, Stone, Taylor,	Thompson, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1879, Printer's No. 1555;  
House Bill No. 2090, Printer's No. 1118;  
House Bill No. 2093, Printer's No. 1585;  
House Bill No. 2106, Printer's No. 1603;  
House Bill No. 2108, Printer's No. 1604;  
House Bill No. 2120, Printer's No. 1400;  
House Bill No. 2170, Printer's No. 1599; and  
House Bill No. 2181, Printer's No. 1586;

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2202, entitled:

An Act amending the "Beauty Culture Law" approved May 3, 1933 (P. L. 242) defining Basic School of Beauty Culture and Advanced School of Beauty Culture and prescribing registration fees for such schools.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew, Anderson, Arlene,	Fulmer, Galley, Gallagher,	McCandless, McCann, McCormack,	Rovansek, Royer, Riley,
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Ashton, Auker, Balthaser, Barton, Blair, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Garlock, Gelfand, George, Gibb, Goldstein, Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty,	McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stoner, Strausser, Stroup, Sullivan, Tompkins, Trusio, Ujobal, Varallo, Verner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Bell, Boles, Brown, Cooper, Dennis,	Kee, Light, McKeever, Mihm, Moran,	Mullen, Stimmel, Stone, Taylor,	Thompson, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill 60. 2273, Printer's No. 1564;  
House Bill No. 2286, Printer's No. 1606; and  
House Bill No. 2302, Printer's No. 1600;

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2341, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—186

Agnew,	Fulmer,	McCandless,	Rigby,
Anderson,	Galley,	McCann,	Riley,
Arlene,	Gallagher,	McCormack,	Rovasek,
Ashton,	Garlock,	McDonald,	Royer,
Balthaser,	Gelfand,	McInroy,	Rudisill,
Barton,	George,	McLaughlin,	Sakulsky,
Blair,	Gibb,	Machmer,	Scarcell,
Bonner,	Goldstein,	Magee,	Schaaf,
Boris,	Goodrich,	Mahan,	Schuster,
Bower,	Gramlich,	Markley,	Schwartz,
Bowman,	Guthrie,	Maxwell,	Seltzer,
Branca,	Hamilton,	Meholchick,	Sherman,
Brenninger,	Heavey,	Merry,	Shupnik,
Breth,	Heffner,	Miller, B. Z.,	Silverman,
Buchanan,	Helm,	Miller, H. G.,	Snare,
Burns,	Henzel,	Mills,	Snider,
Capano,	Holliday,	Monroe,	Stank,
Capitolo,	Holt,	Muldowney,	Steckel,
Cianfrani,	Horst,	Munley,	Stevens,
Cioffi,	Irvlis,	Murphy, A. J., Jr.,	Stewart,
Clarke,	Isaacs,	Murphy, P. J.,	Stoner,
Comer,	Jenkins,	Murray, H. P.,	Strausser,
Crossin,	Jim,	Murray, J. J.,	Stroup,
Curwood,	Johnson, A. W.,	Murray, P. G.,	Sullivan,
Davis,	Johnson, R.,	Musto,	Trusio,
Dengler,	Jones, F. R.,	Naugle,	Ujohal,
Dennison,	Jones, T. H. W.,	Needham,	Varallo,
Devlin,	Jump,	Nelson,	Verner,
Donahue,	Kamyk,	O'Dell,	Verona,
Donaldson,	Kelser,	O'Donnell, J. A.,	Wall,
Dougherty,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Down,	Kessler,	Odorisio,	Wargo,
Edwards,	Knecht,	Ogilvie,	Weldner,
Ellberg,	Kooker,	O'Neil,	Wescott,
Eshback,	Kornick,	Parlante,	Wheeler,
Eshleman,	Korns,	Pashley,	Williams, A. D., Jr.,
Ewing,	Kovolenko,	Perry, P. E.,	Williams, E. S.,
Farabaugh,	Kubitsky,	Perry, H. H.,	Willard,
Fetterolf,	Lamb,	Petrosky,	Willaredt,
Filo,	Lee, A. M.,	Polaski,	Worley,
Fineman,	Lee, K. B.,	Polen,	Wynd,
Floyd,	Leonard,	Prendergast,	Yatron,
Flynn,	Limper,	Price,	Yetter,
Foerster,	Lippincott,	Pursley,	Zimmerman,
Fox,	Lopresti,	Reibman,	Andrews,
Frank,	Luigard,	Reidenbach,	Speaker
Frascella,	Lutty,	Renwick,	

## NAYS—4

Auker,	Hocker,	Tompkins,	Wood,
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## NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boles,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 2346, Printer's No. 1608; was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2355, entitled:

An Act amending the act of May 21, 1943 (P. L. 322) entitled "An act providing for the issuance of certified copies of death, birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation

cases and prescribing penalties" further extending its provisions.

On the question,

Will the House agree to the bill on third reading?

Mr. YETTER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first to last lines of Title, by striking out "May 21, 1943 (P. L. 322)", entitled "An act provid-" in the first line and all of second to last lines of Title and inserting: August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes," fixing fees to be charged and paid by counties for certified copies of certain military or naval discharges, certificates of service or other separation from active duty forms for use in connection with claims for compensation.

Amend Sec. 1, page 2, lines 1 to 20; page 3, lines 1 to 17, by striking out "May 21, 1943 (P. L. 322)", entitled "An" in line 1, all of lines 2 to 20, page 2, and all of lines 1 to 17, page 3, and inserting: August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes," is amended to read:

Section 1. The fees of the recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes shall be as follows:

For recording and exemplifying deeds, mortgages, and other writing, for every four words, one cent (1¢). The minimum rate for recording same shall be three dollars and fifty cents (\$3.50).

For indexing deeds, mortgages, and other writings, with less than four names, no charge; for each additional name, twenty cents (20¢) extra.

For abstracting first description of parcel of land, twenty-five cents (25¢); for each additional description of parcel of land, twenty-five cents (25¢) extra.

For entering satisfaction, extension, or postponement on margin of record of mortgage, seventy-five cents (75¢).

1

For noting assignments of mortgages, releases of mortgages and agreements on mortgages, twenty-five cents (25¢) for first, and twenty-five cents (25¢) for each additional notation.

For taking acknowledgments, fifty cents for first name, and twenty-five cents for each additional name.

For certifying monthly report of mortgages, assignments, and satisfaction of record to county commissioners, as required by the act, approved the seventeenth day of June, one thousand nine hundred thirteen (Pamphlet Laws 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," fifty cents for each instrument, to be paid by the county.

For recorder's certificate and seal of office, fifty cents (50¢).

For a certified copy of any honorable military or naval discharge, certificate of service separation form known as DD Form 214 or other similar forms delivered to members of the armed services upon their retirement or separation from active duty for use in connection with any claim for compensation, one dollar (\$1), to be paid by the county.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.



On the question,  
Will the House agree to the amendments?  
They were agreed to.  
On the question,  
Will the House agree to the bill on third reading as amended?  
It was agreed to.  
Ordered, that the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection,  
House Bill No. 2358, Printer's No. 1609,  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 2359, entitled:

An Act amending the act of June 25, 1947 (P. L. 928), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," fixing the compensation of auditors.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, R. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Stoner,
Cioffi,	Irviss,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobal,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varner,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Weldner,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,
Fetterolf,	Lamb,	Polaski,	Wood,
Filo,	Lee, A. M.,	Polen,	Worley,
Fineman,	Lee, K. B.,	Prendergast,	Wynd,
Floyd,	Leonard,	Price,	Yatron,
Flynn,	Limper,	Pursley,	Yetter,
Foerster,	Lippincott,	Reibman,	Zimmerman,
Fox,	Lopresti,	Reidenbach,	Andrews,
Frank,	Lulgard,	Renwick,	Speaker
Frascella,	Lutty,	Rigby,	

## NAYS—0

## NOT VOTING—18

Bell,	Kee,	Mullen,	Thompson,
Boies,	Light,	Stimmel,	Welsh,
Brown,	McKeever,	Stone,	Whittaker,
Cooper,	Mihm,	Taylor,	Wilt,
Dennis,	Moran,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,  
House Bill No. 2360, Printer's No. 1611,  
Senate Bill No. 107, Printer's No. 107 and  
Senate Bill No. 436, Printer's No. 1355,  
were passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 639, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086), entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons," whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Agnew,	Fulmer,	McCandless,	Riley,
Anderson,	Galley,	McCann,	Rovansek,
Arlene,	Gallagher,	McCormack,	Royer,
Ashton,	Garlock,	McDonald,	Rudisill,
Auker,	Gelfand,	McInroy,	Sakulsky,
Balthaser,	George,	McLaughlin,	Scarcelli,
Barton,	Gibb,	Machmer,	Schaaf,
Blair,	Goldstein,	Magee,	Schuster,
Bonner,	Goodrich,	Mahan,	Schwartz,
Boris,	Gramlich,	Markley,	Seltzer,
Bower,	Guthrie,	Maxwell,	Sherman,
Bowman,	Hamilton,	Meholchick,	Shupnik,
Branca,	Heavey,	Merry,	Silverman,
Brenninger,	Heffner,	Miller, B. Z.,	Snare,
Breth,	Helm,	Miller, H. G.,	Snider,
Buchanan,	Henzel,	Mills,	Stank,
Burns,	Hocker,	Monroe,	Steckel,
Capano,	Holliday,	Muldowney,	Stevens,
Capitolo,	Holt,	Munley,	Stewart,
Cianfrani,	Horst,	Murphy, A. J., Jr.	Stoner,
Cioffi,	Irviss,	Murphy, P. J.,	Strausser,
Clarke,	Isaacs,	Murray, H. P.,	Stroup,
Comer,	Jenkins,	Murray, J. J.,	Sullivan,
Crossin,	Jim,	Murray, P. G.,	Tompkins,
Curwood,	Johnson, A. W.,	Musto,	Trusio,
Davis,	Johnson, R.,	Naugle,	Ujobal,
Dengler,	Jones, F. R.,	Needham,	Varallo,
Dennison,	Jones, T. H. W.,	Nelson,	Varner,
Devlin,	Jump,	O'Dell,	Verona,
Donahue,	Kamyk,	O'Donnell, J. A.,	Wall,
Donaldson,	Kelser,	O'Donnell, J. P.,	Walsh,
Dougherty,	Kernaghan,	Odorisio,	Wargo,
Down,	Kessler,	Ogilvie,	Weldner,
Edwards,	Knecht,	O'Neil,	Wescott,
Ellberg,	Kooker,	Parlante,	Wheeler,
Eshback,	Kornick,	Pashley,	Williams, A. D., Jr.,
Eshleman,	Korns,	Perry, H. H.,	Williams, E. S.,
Ewing,	Kovolenko,	Perry, P. E.,	Willard,
Farabaugh,	Kubitsky,	Petrosky,	Willaredt,

Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella,	Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty,	Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby,	Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker
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## NAYS—0

## NOT VOTING—18

Bell, Boles, Brown, Cooper, Dennis,	Kee, Light, McKeever, Mihm, Moran,	Mullen, Stimmel, Stone, Taylor,	Thompson, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 664, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges \* \* \*" further providing for leaves of absence of faculty members and Presidents of State Teachers Colleges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—154

Anderson, Arlene, Blair, Bonner, Boris, Bower, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cloffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Devlin, Donahue, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank,	Gallagher, Garlock, Gelfand, George, Goldstein, Goodrich, Guthrie, Hamilton, Heavey, Heffner, Heim, Heuzel, Jollday, Hoit, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B.,	Luigard, Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Mahan, Markley, Maxwell, Meholchick, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast,	Riley, Rovanske, Royer, Rudisill, Scarcelll, Schaaf, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stoner, Stroup, Sullivan, Trusio, Ujobai, Varallo, Varnier, Verona, Wall, Wargo, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Willaredt, Wood, Worley, Wynd, Yetter, Zimmerman,
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Frascella, Fulmer, Galley,	Leonard, Limper, Lopresti,	Price, Reibman, Reidenbach,	Andrews, Speaker
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## NAYS—36

Agnew, Ashton, Auker, Balthaser, Barton, Bowman, Dennison, Donaldson, Ewing,	Farabaugh, Fetterolf, Gibb, Gramlich, Hucker, Kelsner, Lippincott, Machmer, Magee,	Merry, Murray, H. P., Murray, P. G., O'Dell, Ogilvie, O'Neill, Pursley, Renwick, Rigby,	Sakulsky, Seltzer, Stevens, Strausser, Tompkins, Walsh, Weidner, Willard, Yatron,
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## NOT VOTING—18

Boles, Bell, Brown, Cooper, Dennis,	Kee, Light, McKeever, Mihm, Moran,	Mullen, Stimmel, Stone, Taylor,	Thompson, Welsh, Whittaker, Wilt,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL PASSED OVER

There being no objection

Senate Bill No. 832, Printer's No. 1027

was passed over at the request of the SPEAKER.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1528 FROM GOVERNOR

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, September 11, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1528, Printer's No. 1131, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

## RECONSIDERATION OF VOTE

Mrs. PASHLEY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. PARLANTE. Mr. Speaker, I second the motion.

The SPEAKER. How did the lady from Philadelphia, Mrs. Pashley vote on the final passage of this bill?

Mrs. PASHLEY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Parlante vote on the final passage of this bill?

Mr. PARLANTE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mrs. PASHLEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.



The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mrs. PASHLEY asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend the title, page 1, line 5 of the title, by inserting after the quotation mark: "changing the definition of commercial motor vehicle and adding the definition of Suburban Motor Vehicles and".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILL INTRODUCED AND REFERRED

By Messrs. PETROSKY and SAKULSKY.

HOUSE BILL No. 2372.

An Act amending the "Public School Code of 1949,"

approved March 10, 1949 (P. L. 30), authorizing the employment of former members of school boards as teachers.

Referred to the Committee on Education.

#### ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to announce that there will be a meeting of the Rules Committee tomorrow in Room 110, at 11:00 a.m. Daylight Saving Time.

#### COMMITTEE MEETINGS

EDUCATION, Mrs. Reibman Chairman, Room 324, Tuesday, September 15, at 9:15 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 131-D-1, Tuesday, September 15, at 10:00 a.m.

MILITARY AFFAIRS, Mr. Needham, Chairman, Room 324, Tuesday, September 15, at 11:45 a.m.

TOWNSHIPS, Mr. Kornick, Chairman, Room 131-A, Tuesday, September 15, at 11:30 a.m.

#### ADJOURNMENT

Mr. BARTON. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 15, 1959 at 11:00 a.m. EST.

The motion was agreed to, and (at 6:10 p.m. EST) the House adjourned.







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